

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: RULE TITLE:

59G-4.192: Statewide Medicaid Managed Care Long-term Care Program

PURPOSE AND EFFECT: The purpose of Rule 59G-4.192, F.A.C. is to incorporate by reference the Florida Medicaid Long-term Care Program Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, covered services, and consideration of caregiver availability in the care planning and service authorization process. The rule title is also changed to Long-term Care Program.

SUBJECT AREA TO BE ADDRESSED: Statewide Medicaid Managed Care Long-term Care Program.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.192, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.978, 409.979 FS.

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

DATE AND TIME: December 4, 2015. 10:00 a.m.-11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407.

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: Kelly Raborn 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: Kelly Raborn, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: 813-350-4850, e-mail: Kelly.Raborn@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on the business day after the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.192 Long-term Care Program.

(1) This rule applies to any person or entity who are requesting Statewide Medicaid Managed Care (SMMC) Long-term Care (LTC) Program services, any person or entity who is prescribing or reviewing a request for SMMC LTC Program services, and to all providers of SMMC LTC Program services who are registered or enrolled with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Long-term Care Program Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.978, 409.979 History--New _____.

Section II

Proposed Rules

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-1.809 Inconsistency with Section 287.055, Florida Statutes

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to repeal Rule 40B-1.809, F.A.C., for the purpose of removing a rule that simply states the statute prevails over the rule in the case of a conflict. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Inconsistency with Section 287.055, Florida Statutes – Rule repeal

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 District has completed for the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the

“Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to 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: 120.53(1) FS.

LAW IMPLEMENTED: 287.055 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.809 Inconsistency with Section 287.055, Florida Statutes.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055 FS. History—New 9-15-81, Repromulgated 8-19-92, Repealed].

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A, pursuant to section 120.54(2)(a), F.S.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-3.529 Flowing Wells

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to repeal Rule 40B-3.529, F.A.C., for the purpose of removing a rule that is duplicative of 373.206, F.S. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Flowing Wells - Rule repeal

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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to 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: 373.044, 373.309, 373.171 FS.

LAW IMPLEMENTED: 373.206, 373.306, 373.308, 373.309, 373.113 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-3.529 Flowing Wells.

Specific Authority 373.044, 373.309, 373.171 FS. Law Implemented 373.206, 373.306, 373.308, 373.309, 373.113 FS. History—New 7-1-85, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A, pursuant to section 120.54(2)(a), F.S.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-5.0031	Implementation
40B-5.0041	Permits Required
40B-5.007	Special Requirements for Permits
40B-5.008	Public Hearings on Disposal, Storage, and Connector Wells
40B-5.009	Confirmation of Use of Storage, Disposal, and Connector Wells
40B-5.0091	Permit Processing
40B-5.010	Change of Location Before Drilling
40B-5.0101	Content of Application
40B-5.011	Change of Ownership of Wells
40B-5.012	Termination of Permits
40B-5.013	Conversion of Wells for New Uses
40B-5.014	Change of Status of Wells
40B-5.015	Preparation of the Well Locations
40B-5.016	Prevention of Waste and Pollution
40B-5.017	Casing and Sealing Storage, Disposal, and Connector Wells
40B-5.018	Casing and Sealing Test Wells
40B-5.019	Oil, Gas, and Ground Water
40B-5.020	Removal or Stripping of Casings
40B-5.021	Initial Testing of Storage Wells, Connector Wells, and Reservoirs
40B-5.022	Initial Testing of Disposal Wells
40B-5.023	Periodic Testing of Storage and Disposal Wells
40B-5.024	Operation of Storage, Connector, and Disposal Wells
40B-5.025	Kinds and Filing
40B-5.026	Content
40B-5.027	Plugging of Disposal, Storage, Connector, and Test Wells
40B-5.028	Plugging of Storage and Disposal Wells, Cavities, and Reservoirs
40B-5.029	Plugging of Test and Connector Wells
40B-5.030	Clean-Up of Abandoned Well Sites
40B-5.0301	Conditions for Issuance of Permits
40B-5.031	Plugging Reports and Records
40B-5.0321	Duration of Permits
40B-5.0331	Modification of Permits
40B-5.0381	Limiting Conditions
40B-5.0411	Completion Report
40B-5.0701	Construction Standards

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to repeal rules contained in Chapter 40B-5, F.A.C., for the purpose of removing rules that are duplicative of the provisions contained in Chapter 62-528, F.A.C. The

effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Rule repeal – Artificial Recharge and Under Injection Control

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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to 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: 373.044, 373.046, 373.106, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.106, 373.126, 373.133, 373.171 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-5.0031 Implementation.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5.03, 40B-5.03, 40B-5.031, Repealed.

40B-5.0041 Permits Required.

Rulemaking Authority 373.044, 373.046, 373.106, 373.113 FS. Law Implemented 373.106 FS. History–New 4-20-78, Amended 4-15-81,

1-31-83, Formerly 16H-5.06, 40B-5.06, Formerly 40B-5.041, Amended 6-16-88, Repealed.

40B-5.007 Special Requirements for Permits.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.07, 40B-5.07, Repealed.

40B-5.008 Public Hearings on Disposal, Storage, and Connector Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.08, 40B-5.08, Repealed.

40B-5.009 Confirmation of Use of Storage, Disposal, and Connector Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.09, 40B-5.09, Repealed.

40B-5.0091 Permit Processing.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5.05, 40B-5.05, 40B-5.091, Repealed.

40B-5.010 Change of Location Before Drilling.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.10, 40B-5.10, Repealed.

40B-5.0101 Content of Application.

Rulemaking Authority 373.044, 373.046, 373.106, 373.113 FS. Law Implemented 373.106 FS. History–New 1-31-83, Formerly 40B-5.101, Repealed.

40B-5.011 Change of Ownership of Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.11, 40B-5.11, Repealed.

40B-5.012 Termination of Permits.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.16, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.12, 40B-5.12, Repealed.

40B-5.013 Conversion of Wells for New Uses.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.13, 40B-5.13, Repealed.

40B-5.014 Change of Status of Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.14, 40B-5.14, Repealed.

40B-5.015 Preparation of the Well Locations.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.15, 40B-5.15, Repealed.

40B-5.016 Prevention of Waste and Pollution.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.16, 40B-5.16, Repealed.

40B-5.017 Casing and Sealing Storage, Disposal, and Connector Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.17, 40B-5.17, Repealed.

40B-5.018 Casing and Sealing Test Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.18, 40B-5.18, Repealed.

40B-5.019 Oil, Gas, and Ground Water.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.19, 40B-5.19, Repealed.

40B-5.020 Removal or Stripping of Casings.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.20, 40B-5.20, Repealed.

40B-5.021 Initial Testing of Storage Wells, Connector Wells, and Reservoirs.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.171 FS. History–New 4-20-78, Formerly 16H-5.21, 40B-5.21, Repealed.

40B-5.022 Initial Testing of Disposal Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.22, 40B-5.22, Repealed.

40B-5.023 Periodic Testing of Storage and Disposal Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.23, 40B-5.23, Repealed.

40B-5.024 Operation of Storage, Connector, and Disposal Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.24, 40B-5.24, Repealed.

40B-5.025 Kinds and Filing.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.25, 40B-5.25, Repealed.

40B-5.026 Content.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.26, 40B-5.26, Repealed.

40B-5.027 Plugging of Disposal, Storage, Connector, and Test Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.27, 40B-5.27, Repealed.

40B-5.028 Plugging of Storage and Disposal Wells, Cavities, and Reservoirs.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.28, 40B-5.28, Repealed.

40B-5.029 Plugging of Test and Connector Wells.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.29, 40B-5.29, Repealed.

40B-5.030 Clean-Up of Abandoned Well Sites.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Formerly 16H-5.30, 40B-5.30, Repealed.

40B-5.0301 Conditions for Issuance of Permits.

Rulemaking Authority 373.044, 373.046, 373.106, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, 1-31-83, Formerly 16H-5, 40B-5.301, Repealed.

40B-5.031 Plugging Reports and Records.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.171 FS. History–New 4-20-78, Formerly 16H-5.31, 40B-5.31, Repealed.

40B-5.0321 Duration of Permits.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5, 40B-5.321, Repealed.

40B-5.0331 Modification of Permits.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5, 40B-5.331, Repealed.

40B-5.0381 Limiting Conditions.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-2-78, Amended 4-15-81, Formerly 16H-5, 40B-5.381, Repealed.

40B-5.0411 Completion Report.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5, 40B-5.411, Repealed.

40B-5.0701 Construction Standards.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History–New 4-20-78, Amended 4-15-81, Formerly 16H-5, 40B-5.701, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A, pursuant to section 120.54(2)(a), F.S.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-9.139 Use Fees

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to repeal Rule 40B-9.139, F.A.C., for the purpose of removing a rule that is unnecessary as the District does not have fee schedules for activities on its lands. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Use Fees – Rule repeal

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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the

proposed rule amendment is not expected to 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: 373.044, 373.083, 373.1391 FS.

LAW IMPLEMENTED: 373.1391 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: Bill McKinstry, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-9.139 Use Fees.

Rulemaking Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.1391 FS. History—New 7-21-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill McKinstry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A, pursuant to section 120.54(2)(a), F.S.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.: RULE TITLES:
40B-21.221 Evaluating Hydrologic Conditions.

40B-21.621 Water Shortage Advisory, Phase I

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Section 40B-21.221(1) for the purpose of removing rule language that restates the requirements of Rule 40B-21.211, F.A.C.; and repeal Rule 40B-21.621, F.A.C., for the purpose of removing a rule that is advisory in nature and does not regulate. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Rule repeal – 40B-21.221(1) and 40B-21.621, 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: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to 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: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.175, 373.246 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: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-21.221 Evaluating Hydrologic Conditions.

~~(1) The District shall monitor the condition of the water resources in the District as provided in Rule 40B-21.211, F.A.C.~~

~~(1)(2)~~ Current data shall be compared to historical data to determine whether serious harm to the water resources can be expected.

~~(2)(3)~~ Evaluations under this rule shall consider established minimum flows and levels and associated rules regarding implementation of water shortage provisions contained in Chapter 40B-8, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 7-30-06,_____.

40B-21.621 Water Shortage Advisory, Phase I.
 Rulemaking Authority 373.044, 373.113 FS. Law Implemented
 373.175, 373.246 FS. History—New 7-30-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Warren Zwanka, Senior Hydrologist
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Suwannee River Water Management
 District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 12, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: N/A, pursuant to section 120.54(2)(a),
 F.S.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-14.001	Definitions
65C-14.002	Licensed Child Caring Agencies
65C-14.003	Application and Licensing Study
65C-14.004	On Site Visits
65C-14.005	Grievance Procedure
65C-14.006	Administration and Organization
65C-14.007	Buildings, Grounds and Equipment
65C-14.008	Interior Accommodations
65C-14.009	Ventilation and Lighting
65C-14.010	General Sanitation and Safety
65C-14.011	Fire Regulations
65C-14.012	Transportation Safety
65C-14.013	Food and Nutrition
65C-14.014	Health Services
65C-14.015	Administration of Medication
65C-14.016	Incident Notification Procedures
65C-14.017	Child Abuse and Neglect
65C-14.018	Community Interaction
65C-14.019	Recreation, Leisure Activities and Work Experience
65C-14.020	Clothing and Personal Belongings
65C-14.021	Discipline, Control and Punishment
65C-14.022	Permanent Register
65C-14.023	Staff Qualifications
65C-14.024	Staffing Requirements
65C-14.025	Volunteers
65C-14.026	Organization
65C-14.027	Confidentiality Related to HIV Infected Children
65C-14.040	Admission and Planning
65C-14.041	Medical Information
65C-14.042	Orientation
65C-14.043	Child's Case Record
65C-14.044	Placement Agreement
65C-14.045	Program Services for Children in Care
65C-14.046	Continuing Service Plan and Review
65C-14.047	Educational and Vocational Services
65C-14.048	Release Planning and Aftercare
65C-14.049	Religious and Ethnic Heritage
65C-14.050	Interior Space
65C-14.051	Food Service
65C-14.052	Health Care
65C-14.053	Apparel and Allowance
65C-14.054	Personnel
65C-14.055	Job Functions and Staff Qualifications
65C-14.056	Staff Development
65C-14.060	Standards for Contracted Emergency Shelters
65C-14.061	Standards for Runaway Shelters
65C-14.072	Medical Information
65C-14.074	Counseling Services
65C-14.075	Education and Vocational Service
65C-14.078	Interior Furnishings and Space

65C-14.079 Staffing Requirements for Maternity Residences
 65C-14.080 Food Service
 65C-14.090 Exemptions
 65C-14.096 Case Plan
 65C-14.099 Aquatic Safety Procedures
 65C-14.100 Fire and Weather Safety
 65C-14.101 Sedentary Programs
 65C-14.102 Mobile Programs
 65C-14.104 Job Descriptions
 65C-14.110 Specific Exemptions for Wilderness Camps
 65C-14.111 Structural and Safety Requirements
 65C-14.112 Clothing and Personal Needs
 65C-14.113 Water Safety
 65C-14.114 Admission, Education and Case Record Procedures
 65C-14.115 Wilderness Camp Personnel Policies
 65C-14.116 Administrative Actions, Appeals and Closures

PURPOSE AND EFFECT: The Department intends to amend Chapter 65C-14, F.A.C. to modify regulatory language and update forms to comport with current law, policies and procedures related to residential child caring agencies. These modifications further allow the Department to amend and repeal duplicative language in order to streamline regulatory activities within the residential child caring agency setting. Additionally, the Department intends to create a rule to establish procedures for administrative actions, appeals, and voluntary closures of residential child-caring agencies.

SUMMARY: Chapter 14, F.A.C., has been reorganized; numerous rules are repealed and the content of various rules has been combined, resulting in a more user-friendly rule chapter. Definitions are added; requirements regarding swimming pools are made consistent with current statute; procedures regarding critical incidents are updated to comport with current policies; a Partnership Plan is incorporated; placement of transgender youth is addressed; and procedures for administrative actions, appeals, and voluntary closures of agencies are established.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact

or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 409.175(5), 381.004(2) F.S.

LAW IMPLEMENTED: 409.175, 381.004 F.S.

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: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.Abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-14.001 Definitions.

~~(1) "Agency" means any residential child caring agency.~~

~~(2) "Boarding school" means a school registered with the Department of Education as a school. Its program must follow established school schedules, with holiday breaks and summer recesses in accordance with other public and private school programs. The children in residence must customarily return to their family homes or legal guardians during school breaks and must not be in residence year round, except this provision shall not apply to foreign students. The parents of these children retain custody and financial responsibility.~~

~~(3) "Child" means any unmarried person under the age of 18 years.~~

~~(4) "Contracted Emergency Shelter" means a facility or agency that provides a place for the temporary care of a child who is alleged to be dependent pending court disposition before or after adjudication. A facility or agency may contract with the department to provide 24 hour continuous supervision or 24 hour awake supervision.~~

~~(5) "Department" means the Department of Children and Family Services unless otherwise specified.~~

~~(1)(6) "Facility" means the building and campus physical plant of a residential child-caring agency, as defined by Section 409.175(2), F.S. and is an abbreviation in the rules for a residential child caring agency.~~

~~(2) "Gender," "sex," or "gender identity" means a person's internal identification or self-image~~

~~as male or female. Gender identity may or may not correspond to the gender assigned to a person at birth that is listed on the person's birth certificate. The terms "male," "female," or "nonbinary" describe how a person identifies.~~

(3) “Gender expression” refers to the way a person expresses gender through appearance, dress, grooming habits, mannerisms and other characteristics.

(7) “Maternity residence” means a facility which provides continuing 24 hour care for adolescent girls under 18 years of age or adult women during pregnancy or after and which may also offer care for their infants.

(8) “Personnel” means all owners, operators, employees, and volunteers working in a child placing agency, family foster home, or residential child caring agency who may be employed by or do volunteer work for a person, corporation, or agency which holds a license as a child placing agency or a residential child caring agency, but the term does not include those who do not work on the premises where child care is furnished and either have no direct contact with a child or have no contact with a child outside of the presence of the child’s parent or guardian. For purposes of screening, the term shall include any member, over the age of 12 years, of the family of the owner or operator or any person other than a client, over the age of 12 years, residing with the owner or operator if the agency or family foster home is located in or adjacent to the home of the owner or operator or if the family member of, or person residing with, the owner or operator has any direct contact with the children. Members of the family of the owner or operator, or persons residing with the owner or operator, who are between the ages of 12 years and 18 years shall not be required to be fingerprinted, but shall be screened for delinquency records. For purposes of screening, the term “personnel” shall also include owners, operators, employees, and volunteers working in summer or recreation camps providing 24 hour care for children. A volunteer who assists on an intermittent basis for less than 40 hours per month shall not be included in the term “personnel” for the purposes of screening, provided that the volunteer is under direct and constant supervision by persons who meet the personnel requirements of this section.

(9) “Residential child caring agency” means any person, corporation, or agency, public or private, other than the child’s parent or legal guardian, that provides staffed 24 hour care for children in facilities maintained for that purpose, regardless of whether operated for profit or whether a fee is charged. Such Residential child caring agencies include, but are not limited to, maternity homes, runaway shelters, group homes which are administered by an agency, emergency shelters which are not in private residences and wilderness camps. Residential child caring agencies do not include hospitals, boarding schools, summer or recreation camps, nursing homes, or facilities operated by a governmental agency for the training, treatment, or secure care of delinquent youth, or facilities licensed under Section 393.067 or 397.081, F.S.

~~(10) “Group Care” is staffed 24 hour residential care of children in programs that do not offer maternity services, emergency shelter and runaways services or provide services in a wilderness setting.~~

~~(11) “Runaway Shelter” means a facility that provides a program to work with children in crisis and provide early intervention services. Residential services are available 24 hours a day seven (7) days a week to troubled youth who have run away from home or who are at risk to runaway and are seeking assistance in solving individual or family problems.~~

~~(12) “Screening” means the act of assessing the background of personnel and includes, but is not limited to, employment history checks, checks of references, local criminal records checks through local law enforcement agencies, fingerprinting for all purposes and checks in this subsection, statewide criminal records checks through the Florida Department of Law Enforcement, federal criminal records checks through the Federal Bureau of Investigation, and abuse registry clearance.~~

~~(13) “Summer or Recreation Camps” means recreational, educational or other enrichment programs providing residential care to school age children during summer vacation.~~

~~(4)(14) “Service Plan” means the goal-oriented, time limited, individualized program of action for a child and the child’s his family developed by the child-placing agency facility in cooperation with the child placing agency or the child’s family.~~

~~(5) “Sexual orientation” means a person’s emotional, romantic, or sexual attraction to members of the same gender, a different gender, or any gender, e.g., homosexuality, heterosexuality, or bisexuality.~~

~~(6) “Transgender” means having a gender identity that is different than the person’s gender assigned at birth.~~

~~(7) “Trauma-informed” means an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma.~~

~~(8) “Treatment Plan” means an individualized, structured, and goal-oriented schedule of services with measurable objectives. A treatment plan details the treatment to be provided and expected outcome, and expected duration of the treatment~~

~~(15) “Short Term Wilderness Program” means a residential program of 60 days or less, emphasizing behavioral changes through rigorous fitness and conditioning in a wilderness environment.~~

~~(16) “Wilderness Camp” means a residential child caring program which provides a variety of outdoor activities that take place in a wilderness environment.~~

~~(17) “Community Residential Home” means group homes licensed by Chapter 65C-14, F.A.C., that provide a living environment for one to six or seven to 14 residents who operate as the functional equivalent of a family, including such supervision and care by support staff as may be necessary to meet the physical, emotional and social needs of the residents.~~

~~Rulemaking Authority 409.175(5)(4)(a) FS. Law Implemented 409.175(5)(4)(a), 419.001(1)(a) FS. History–New 7-1-87, Amended 9-19-90, Formerly 10M-9.003, Amended 11-30-97,_____.~~

65C-14.002 Licensed Child Caring Agencies.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Amended 8-3-88, Formerly 10M-9.004, Repealed_____.

65C-14.003 Application and Licensing Study.

(1) License application packets for a residential child-caring agency shall include:

(a) Application for a license shall be made on Tthe “License Application for Child-Caring Agencies”, CF-FSP 5412, August 2015, HRS CYF Form 5135 June 86, which is hereby incorporated by reference and available at www.dcf.state.fl.us/dcfforms/, and provided by the department;:-

(b) The “Community Residential Homes Determination of Need and Licensing Status” form, CF 1785, October 2005, incorporated by reference and available at www.dcf.state.fl.us/dcfforms; and

(c) For aApplications for group homes to provide care for one to six or seven to 14 children shall include completion of the “Community Residential Homes Local Ordinance Certification”, CF HRS Form–1786 May 2015 March 90, which is hereby incorporated into this rule by reference reference and available at www.dcf.state.fl.us/dcfforms/. This application form certifies to the Ddepartment that the proposed group home meets the dispersion and notification requirements of Chapter 419, F.S.

(d) Need for Service. The child-caring agency shall provide a description of the geographic area the child-caring agency serves or intends to serve with the specific services it provides or proposes to provide. Applicants who apply for an initial license shall furnish evidence that the services will be used by referral sources or other documentation of the need for the services which shall be verified by the Ddepartment.

(2) ~~All The~~ application forms shall be signed by the person or persons exercising authority over the operation, policies and practices of the agency.

~~(2) The license shall be issued for a child caring facility, contracted emergency shelter, runaway center, short term wilderness program, maternity residence, wilderness camp at a specific address and for operation by specific individuals or~~

~~agencies. It shall automatically become invalid if the facility is operated at another or under different control. An new license shall be issued upon proper notification and evidence that the facility meets the standards of this Chapter. The license shall be valid for 1 year from the date of issuance unless suspended, revoked, or voluntarily returned. All licenses shall expire automatically 1 year from the date of issuance. The license shall be the property of the department.~~

(3) The facility shall conform to all applicable state and local building and zoning codes.

(4) The Regional Licensing Authority (the Department) shall conduct a review of the application packet, facility, and all required documentation to ensure compliance with all rules in Chapter 65C-14., F.A.C., prior to issuance of a license.

(5) A license is only valid for the facility located at the address documented on the license.

~~(4) The license must be conspicuously displayed at all times in the facility.~~

~~(5) Upon determination that the applicant meets the state and local licensing requirements, the department will issue a license to a specific facility, at a specific location. The license will be issued to the facility without charge~~

~~When a child caring facility ceases to care for children during the period for which the license is issued, the department must be notified and the license returned.~~

~~Rulemaking Authority 409.175(5)(4)(a), (b) FS. Law Implemented 409.175(6)(4)(a), (b), 419.001(1)(a) FS. History–New 7-1-87 Amended 9-19-90, 2-17-93, Formerly 10M-9.005. Amended_____.~~

65C-14.004 On Site Visits

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.008. Repealed_____.

65C-14.005 Grievance Procedure.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.014. Repealed_____.

65C-14.006 Administration and Organization.

~~(1) Administration.~~

~~(a) Statement of Purpose. The child-caring agency facility shall have a written mission statement of its philosophy, purpose and program. The statement shall contain a description of all the services the child-caring agency facility provides and the methods of service delivery. The statement shall be available to the Ddepartment, referral sources, and the public on request.~~

~~(b) Need for Service. The facility shall provide a description of the geographic area the facility serves or intends to serve with the specific services it provides or proposes to provide. Applicants who apply for an initial license shall furnish evidence that the services will be used by referral~~

~~sources or other documentation of the need for the services which shall be verified by the department.~~

(2) Incorporation. Agencies incorporated outside of the State of Florida shall be authorized to do business under Florida law.

(3) Governing Body.

(a) Each incorporated child-caring agency facility shall have a governing body which exercises authority over and has responsibility for the operation, policies and practices of the agency.

(b) For profit organizations shall maintain advisory boards which review the operational policies and practices, inspect facilities and programs, conduct interviews with children and staff members, and review matters affecting the care of and services to children. Members of advisory boards shall not have a proprietary interest in the child-caring agency facility or program.

(4) ~~The child-caring agency A facility having a governing body of more than one member~~ shall maintain a list of ~~the its members of its governing body~~. This list ~~which~~ shall be available to the ~~D~~epartment ~~and~~ shall:

(a) Include the name names, address, and term terms of membership of each member;

(b) Identify each office and the term of that office.

(5) The governing body shall meet no less than once per year. Membership of the governing body shall not be fewer than five (5) members.

(6) Responsibilities of the Governing Body.

(a) Employ a qualified executive director, as prescribed in 65C-14.023(15), F.A.C., and delegate responsibilities to that person for the administration and operation of the residential child-caring agency.

(b) Evaluate in writing the executive director's performance annually.

(c) Approve the annual budget of anticipated income and expenditures necessary to provide the services described in its mission statement of purpose. The governing body shall also approve the annual financial audit report.

(d) Establish written personnel practices.

(e) Maintain written minutes of all meetings, which shall be open to inspection by the ~~D~~epartment.

(f) Develop written policies for selection criteria and rotation of its members.

(g) Develop a written plan for the storage of children's records in the event of the closing of the child-caring agency and/or facility.

(7) Municipal, county or other governmentally operated residential child-caring agencies subject to licensing under Section 409.175, F.S., shall, within their administrative structure and as governed by other federal, state and local

laws, provide for the duties and responsibilities described in this section.

(8) The child-caring agency shall have a written grievance procedure which allows children in care or others to make complaints without fear of retaliation. This procedure shall be written in a clear and simple manner and shall be provided to children, parents or guardians, the Department and others upon request. The procedure must be explained to children and their families at the time of admission.

(9) The child-caring agency shall maintain a current organization chart showing the administrative structure including the lines of authority. This chart shall be available to the Department.

(10) The child-caring agency shall provide written documentation that it has sufficient funds to meet all requirements for licensure. Facilities beginning operation shall provide evidence of sufficient funding for operation of the program for at least six (6) months.

(11) The child-caring agency shall prepare a written budget annually.

(12) The child-caring agency shall have financial records audited annually.

(13) If fees for services are charged, the child-caring agency shall have a written policy which describes the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

(14) If funding is obtained through public solicitation, a charitable permit for such solicitation shall be procured as required by Chapter 496, F.S.

(15) The child-caring agency shall provide written notification within 30 days to the Department of changes in the agency's executive director, statement of purpose or admission criteria.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)1, 8 FS. History—New 7-1-87, Formerly 10M-9.015. Amended _____.

65C-14.007 Buildings, Grounds, ~~and~~ Equipment, and Interior Accommodations.

(1) Staff sleeping space quarters shall be separate from those of the children but in close enough proximity to allow for ~~proper~~ supervision.

(2) The grounds shall be well kept. Indoor and outdoor recreation areas shall be provided with equipment and safety measures designed for the needs of the resident children according to the age, physical and mental ability of the children.

(3) Safety regulations shall be established for all hazardous equipment and children shall be prohibited from the

use of such equipment unless it is included in planned ~~and supervised~~ work experience.

(4) Pools shall meet the requirements of Chapter ~~515 514~~, F.S., and the administrative rules promulgated under Chapter ~~515 514~~, F.S.

(5) The facility shall be decorated and furnished to create a homelike environment. Furnishings shall be safe, easy to maintain, and selected for their suitability to the age and development of the children in care.

(6) Living Room: The building or cottage shall have one (1) centrally located living room, or in the case of wilderness camps another form of meeting space, for the informal use of children, large enough to accommodate indoor recreational use.

(7) Dining Area: The building or cottage shall have one (1) or more dining areas large enough to comfortably accommodate the number of persons who normally are served.

(8) Where study areas exist they shall have tables, chairs, lamps and bookshelves suitable for use by the children in care.

(9) If offices for administrative functions are housed in the facility, they must be separate from the children's living area.

(10) There must be adequate space to allow staff and clients to talk privately and without interruption.

(11) Bathrooms.

(a) The facility shall have toilets, wash basins, and bathing units as follows:

1. At least one (1) toilet, washbasin, and tub or shower easily accessible to the bedroom area for every six (6) children;

2. Toilets and tubs or showers that provide for individual privacy.

(b) The facility shall have bathrooms with non-slip surfaces in showers or tubs, toilet paper and holders, and individual hand towels or disposable paper towels, mirrors at a height for convenient use by children and a place for storage of toiletries unless storage is provided elsewhere.

(c) A facility that cares for nonambulatory children shall have grab bars in toilet and bathing areas and doors wide enough to accommodate a wheelchair or walking device.

(12) Bedrooms.

(a) Child-caring agencies shall not permit nonambulatory children to sleep above the first floor.

(b) Child-caring agencies shall provide each child with a closet or chest of drawers for clothing and personal belongings which shall be reserved solely for the individual child's use. Wilderness camps have the option of providing alternate storage.

(c) Child-caring agencies shall provide each child with a safe and comfortable bed. The beds shall be no shorter than the child's height and no less than 30 inches wide. Where

bunk beds are used, there shall be sufficient room to allow the occupants of both bunks to sit up in bed.

(d) Children over 36 months of age shall not share a bedroom with a child of a different gender unless efforts are being made to maintain a sibling group or doing so is required for the safety or wellbeing of each child. The group home, licensing agent and case manager shall work together in determining arrangements for the safety and best interests of each child involved and obtain written approval from the community-based care agency. Rationale for any decision made for children over the age of 36 months to share a bedroom with a child(ren) of a different gender shall be documented in FSFN.

(e) Clean sheets, pillow cases, and blankets shall be provided to each child upon arrival. Sheets and pillowcases shall be changed at least once a week.

(13) The facility shall have outside ventilation by means of windows, louvers, air conditioners, or mechanical ventilation in rooms used by children.

(14) The facility shall have screens for each window and door used for outside ventilation.

(15) The facility shall have light fixtures to provide for the comfort and safety of children. Classrooms, study areas, bathrooms and food service areas shall be illuminated.

(16) All incandescent bulbs and fluorescent light tubes shall be protected with covers or shields.

(17) Hallways to bedrooms shall be illuminated at night.

(18) The facility shall have at least one (1) bedroom for every four (4) children. However, if the applicant or licensee, in a written request, demonstrates that the health, safety and welfare of each child in a particular set of children in a particular circumstance will not be adversely affected by having more than four (4) children in a bedroom, the Department, upon on-site inspection, shall grant the request if it determines that the evidence and statement support the applicant's or licensee's request. The approval of the request shall be valid only for the particular set of children in the particular circumstances cited in the written request. The bedrooms shall have 50 square feet for the initial occupant and an additional 50 square feet for each additional occupant, and a ceiling height of at least 7 feet, 6 inches. Programs established prior to July 1, 1987 may utilize dormitory style bedrooms, but new construction or facilities applying for initial licensure must comply with the size and occupancy requirements.

(19) Children shall have the opportunity to personalize their bedrooms with furnishings and possessions.

(20) For wilderness camps:

(a) A wilderness camp shall only be established at a location where land is properly drained.

(b) The location of a camp shall not present a fire, health or safety hazard.

(c) Non-permanent structures used for sleeping shall be located on dry land. The sleeping structure shall promote comfort and protection from weather and insects and have a floor which is smooth, kept in a clean condition and in good repair.

(d) Permanent sleeping structures shall have roofs, exterior walls, doors and windows which are weathertight and watertight and shall be in clean condition and in good repair.

(e) Structures shall be covered with durable flame proof material.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)2, 3 FS. History—New 7-1-87, Formerly 10M-9.016. Amended _____.

65C-14.008 Interior Accommodations.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 7-1-87, Amended 8-3-88, Formerly 10M-9.017. Repealed.

65C-14.009 Ventilation and Lighting.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 7-1-87, Formerly 10M-9.018. Repealed

65C-14.010 ~~General Sanitation and~~ Safety, Sanitation, and Food Service Requirements.

(1) Prior to the issuance of a license or to relicensing, the facility shall be inspected by a representative of the Department, the county health unit, and the local fire department, or persons trained by the office of the State Fire Marshal ~~Marshal~~ in fire prevention and safety in accordance with state or local ordinances and codes. Written approval of health and sanitary conditions and fire prevention and protection measures must be on file. All residential child-caring facilities must comply with ~~The following measures shall be used to inspect~~ the health and sanitation standards set forth in rule 64E-12, F.A.C. in residential child-caring agencies with a capacity of up to 12 clients;

(2) Fire Safety.

(a) All child-caring agencies must be inspected annually by the local fire department or persons certified by the Division of the State Fire Marshal in fire prevention and safety in accordance with Chapter 69A-41, F.A.C., Uniform Fire Safety Standards for Residential Child Care Facilities. A report of the inspections and approval must be on file with the Department prior to issuance of a license or relicensing of the facility.

(b) Fires, explosions or major damage to facilities which threaten the health and safety of the residents shall be reported to the Department within 24 hours of the occurrence and reports of such incidents shall be kept on file in the facility.

(c) Procedures for fire and other emergency situations, including the route of evacuation, shall be posted in conspicuous places and shall be reviewed with staff and children on a scheduled basis.

(d) Fire drills shall be held no less than monthly and records of such drills shall be kept on file.

(e) Hallways, stairs and exit areas shall be well-lit and kept clear for safe exit.

(3) Transportation

(a) Vehicles used to transport children shall be maintained in safe operating condition.

(b) The number of persons in a vehicle used to transport children shall not exceed the number of available seats; appropriate restraining devices shall be used when transporting children in automobiles.

(c) Buses or vans used to transport six (6) or more children shall be equipped with a first aid kit.

(4) Recreational areas.

(a) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.

(b) Outdoor recreational areas shall be well-drained and kept free of litter and trash.

(5) Swimming Pools and Aquatic Activities.

(a) All residential child-caring agencies with swimming pools, spas, or open water hazards must have a person on staff who has completed a community water safety course administered by a nationally recognized water safety provider.

(b) Swimming pools shall comply with the requirements of the Residential Pool Safety Act, Section 515.27, F.S. Facilities with swimming pools licensed prior to the enactment of the Residential Pool Safety Act shall be considered to have met this requirement.

(c) The child-caring agency shall not permit a child to participate in an aquatic activity requiring higher skills than the child's ability, except during formal instruction.

(d) Lifesaving equipment shall be provided during aquatic activities and shall be immediately accessible in case of an emergency. Minimum equipment shall include the following:

1. A whistle or other audible signal device;

2. A first aid kit; and

3. A ring buoy, rescue tube, life jacket or other flotation device with a rope attached which is of sufficient length for the area.

(e) Life jackets shall be worn during all boating activities.

(f) Prior to any extended travel in any water craft, drills will be practiced to approximate man overboard and capsizing situations.

(6) Food Service.

~~(a) The child-caring agency shall assign a staff member to the overall management of the food service. If this person is not a professionally registered dietitian, all menus shall be approved by a professionally registered dietitian for the particular population of the group home. Residential programs participating in the United States Department of Agriculture Food and Nutrition Service shall be considered to have met this requirement.~~

~~(b) The child-caring agency shall serve staff members and the children in care the same food, except when age or special dietary requirements dictate differences. Staff on duty shall eat their meals with the children.~~

~~(c) All child-caring agencies shall serve three (3) well-balanced meals a day in the morning, noon, and evening and provide snacks between meals. When children are attending school, working outside of the facility or are not present in the facility during mealtime, the child-caring agency shall ensure that the children receive meals.~~

~~(d) Facilities shall retain their menus for a six (6) month period which shall be available for review by the Department.~~

~~(a) Food shall be clean and wholesome. Wholesome foods are those that are in sound condition and do not contain any substance or chemical that may render it harmful to health. Clean food is free from spoilage and safe for human consumption.~~

~~(b) Home canned food shall not be used.~~

~~(c) Food shall be protected from dust, flies, rodents, and other vermin, unclean equipment and utensils, unnecessary handling, cough/sneezes, flooding by sewage, overhead leakage and all other sources of contamination at all times during storage, food preparation, transportation both on and off premises, and service. The kitchen shall be kept clean and in good repair, this includes the equipment and utensils.~~

~~(d) Potentially hazardous food is any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. Potentially hazardous foods must be kept at safe temperatures, 41 degrees Fahrenheit or below or 140 degrees Fahrenheit or above, except during necessary period of preparation and service. Potentially hazardous food shall not have been out of temperature for more than 4 cumulative hours during the course of thawing, preparation, service and cooling.~~

~~(e) At least one sink with hot and cold potable water under pressure shall be provided in the food preparation area.~~

~~(f) Refrigeration units and hot food storage units shall be provided with a numerically sealed indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of~~

~~the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.~~

~~(g) Food containers shall be labeled with their contents and dated. Prior to the food being placed into the freezer, the container must be clearly marked to indicate the date of freezing; and the container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing. When the food is removed from the freezer, the container must be clearly marked to indicate the date of thawing.~~

~~(h) Water temperature shall not exceed 120 degrees Fahrenheit to avoid scalding. Adequate hot water shall be provided at a minimum of 100 degrees Fahrenheit.~~

~~(i) Agencies not served by a municipal water supply shall test the water before licensure and then annually. The test results must be submitted to the local county health department in writing by the testing laboratory. Testing can be obtained through the local county health department or a certified independent laboratory. Test results must be negative for bacteriological contamination as determined by the local county health department. Positive test results require the facility to use potable water from a source approved by law for the purpose of drinking, cooking, and oral contact, until test results are negative.~~

~~(j) Effective measures shall be utilized to minimize the presence of rodents, flies, cockroaches and other vectors and vermin on the premises. Effective measures shall include any method or device or the application of any substance to prevent, destroy, repel mitigate, curb, control any pest in, on or under the structure or lawn.~~

~~(k) There shall be at least one functioning toilet, washbasin, and tub or shower for every six children.~~

~~(7)(l) Laundry facilities shall be located in an area separate from areas occupied by children. If children are allowed to participate in the laundering of their personal items, space for sorting, drying, and ironing shall be made available. If children are using the laundry facilities they shall be supervised by a staff member.~~

~~(8)(m) The facility shall have telephones, centrally located and readily available for staff use in each living unit of the facility. Emergency numbers, such as 911 the fire department, police, hospital, physician, poison control center, and the child abuse registry ambulance, shall be posted by each telephone. In lieu of this requirement, wilderness camps and short-term wilderness programs shall have a system in place that provides for an immediate response in case of an emergency. The system must include the ability to immediately notify appropriate agency staff, police, fire department, physician, poison control center, ambulance or other emergency services that may be needed.~~

~~(9)(n) If firearms are present in the facility, the program director and house parent, when applicable, shall be required~~

to sign the "Acknowledgement of Firearms Safety Requirements" form, CF-FSP 5343, February 2015 March 2010, which is incorporated by reference and available at www.dcf.state.fl.us/dcfforms/
<https://www.flrules.org/gateway/reference.asp?NO=Ref-01318>.

(10) All pets must be current on vaccinations as required in Section 828.30, F.S.

~~(2) Pursuant to Section 409.175, F.S., the following measures shall be used to inspect the health and sanitation standards in a residential child caring agency with a capacity more than 12 clients;~~

~~(a) Kitchen.~~

~~1. The floor surfaces in kitchens, all the rooms and areas in which food is stored or prepared and in which utensils are washed or stored, shall be of smooth, nonabsorbent material and constructed so they can be easily cleaned and shall be kept clean and in good repair.~~

~~2. The walls and shelving of all food preparation areas, food storage areas and utensil washing areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.~~

~~3. Hot and cold running water under pressure shall be easily accessible where food is prepared and where utensils are washed.~~

~~4. A residential use dishwasher shall be provided for ware washing.~~

~~(b) Food Supplies. Food is any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use in whole, or in part, for human consumption. Food received or used in a residential child caring agency shall be from sources approved or considered satisfactory by the Department.~~

~~(c) Food Protection.~~

~~1. Food, while being transported, stored or prepared at a residential child caring agency, shall be protected from dust, flies, rodents or other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination.~~

~~2. Different types of raw animal products such as beef, fish, lamb, pork or poultry shall be separated during storage and processing by use of different containers, partitions, shelves, or by cleaning and sanitizing the equipment between product use.~~

~~3. Raw food products shall be physically separated from ready to eat food products during display or storage by storing the raw products below ready to eat food products or using other approved methods.~~

~~4. Perishable food is any food of such type or in such condition as my spoil. Perishable food shall be stored at such~~

~~temperatures as will protect against spoilage. All potentially hazardous food shall be kept at safe temperatures, 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, except during necessary periods of preparation and service.~~

~~5. Potentially hazardous foods which are to be served without further cooking, such as ham salad, chicken salad, egg salad, shrimp salad, lobster salad, tuna salad, potato salad and other mixed foods containing potentially hazardous ingredients or dressings shall be prepared from chilled products with a minimum of manual contact. The surfaces of containers and the utensils used for preparation and subsequent storage shall have been effectively cleaned and sanitized immediately prior to use. Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of 41 degrees Fahrenheit or below. The cooling period shall not exceed four hours. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled, utilizing one or more of the following methods based on the type of food being cooled:~~

~~a. Placing the food in shallow pans;~~

~~b. Separating the food into smaller or thinner portions;~~

~~c. Using rapid cooling equipment;~~

~~d. Stirring the food in a container placed in an ice water bath;~~

~~e. Using containers that facilitate heat transfer;~~

~~f. Adding ice as an ingredient; or~~

~~g. Other effective methods approved by the department.~~

~~6. Frozen potentially hazardous food shall be thawed:~~

~~a. In refrigerated units at a temperature not to exceed 41 degrees Fahrenheit; or~~

~~b. Under cold potable running water with sufficient water velocity to agitate and float off loosened food particles into the overflow and:~~

~~(I) For a period of time that does not allow thawed portions of ready to eat food to rise above 41°F; or~~

~~(II) For a period of time that does not allow thawed portions of a raw animal food requiring cooking to be above 41°F for more than 4 hours including the time the food is exposed to the running water and the time needed for preparation for cooking; or~~

~~c. In a microwave oven; or~~

~~d. As part of the conventional cooking process.~~

~~7. Raw, unprocessed fruits and vegetables shall be thoroughly washed in potable water to remove any existing contaminants before being cut, combined with other ingredients, cooked, or served.~~

~~8. Comminuted meat is fish or meat products that are reduced in size and restructured or reformulated such as gyros, ground beef, and sausage; Comminuted meat products shall be thoroughly cooked to heat all parts of the meat to a minimum temperature of 155 degrees Fahrenheit for at least 15 seconds.~~

~~9. Stuffings, poultry, stuffed meats and stuffed poultry shall be heated throughout to a minimum temperature of 165 degrees Fahrenheit for at least 15 seconds.~~

~~10. Raw animal products such as eggs, fish, lamb, pork or beef, except roast beef, and foods containing these raw ingredients, shall be cooked to an internal temperature of 145 degrees Fahrenheit or above for at least 15 seconds. Fresh, frozen, or canned fruits and vegetables that are cooked for hot holding shall be cooked to a minimum temperature of 140 degrees Fahrenheit.~~

~~11. Microwave Cooking. Raw animal food cooked in a microwave oven shall be:~~

~~a. Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;~~

~~b. Covered to retain surface moisture;~~

~~c. Heated to a temperature of at least 165°F throughout all parts of the food; and~~

~~d. Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.~~

~~12. Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross contamination. Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to a minimum of 165 degrees Fahrenheit for 15 seconds throughout all parts of the food before being served or before being placed in a hot food storage equipment. Ready to eat food taken from a commercially processed, hermetically sealed container (a container designed and intended to be secure against the entry of microorganisms to maintain the commercial sterility of its contents after processing) or from an intact package from a food processing plant, shall be heated to a temperature of at least 140 degrees Fahrenheit. Precooked, pre packaged food from approved sources shall be exempt from this rapid reheating requirement when the food is initially removed from the original package, prepared for service, and not cooked for hot holding. Steam tables, bainmaries, warmers and similar hot food holding equipment are prohibited for the rapid reheating of potentially hazardous foods.~~

~~13. Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered container except during necessary periods of preparation or service. Container covers shall be nonabsorbent, except that linens or napkins may be used for lining or covering bread or roll serving containers. Solid cuts of meat shall be protected by being covered in storage. Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by fire safety rules. The storage of food in toilet rooms, locker rooms,~~

~~dressing rooms, garbage rooms, or vestibules is prohibited. Unless its identity is unmistakable, bulk food such as cooking oil, syrup, salt, sugar or flour not stored in the product container or package in which it was obtained, shall be stored in a container identifying the food by common name. Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross contamination from food requiring washing or cooking. Packaged food shall not be stored in contact with water or undrained ice. Food shall be stored a minimum of 6 inches above the floor, on clean shelves, racks, dollies or other clean surfaces in such a manner as to be protected from splash and other contamination provided that:~~

~~a. Metal pressurized beverage containers and cased food packaged in cans, glass or other waterproof containers need not be elevated when the food container is not exposed to floor moisture; or~~

~~b. Racks and dollies used for food storage are easily movable.~~

~~14. Potentially hazardous food, date marking requirements.~~

~~a. Refrigerated, ready to eat, potentially hazardous food prepared and held for more than 24 hours in a facility shall be clearly marked with the date of preparation.~~

~~b. When ready to eat, potentially hazardous food is to be subsequently frozen, in addition to the date of preparation, the food shall comply with the following:~~

~~(I) Prior to the food being placed into the freezer, the container must be clearly marked to indicate the date of freezing; and~~

~~(II) The container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing.~~

~~(III) When the food is removed from the freezer, the container must be clearly marked to indicate the date of thawing.~~

~~15. Ready to eat, potentially hazardous food, disposition. Refrigerated, ready to eat, potentially hazardous food, shall be discarded if not served within 7 calendar days from the date of preparation, excluding the time that the product is frozen.~~

~~16. All food shall be served in such a manner as to minimize contamination as follows:~~

~~a. To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by staff or provided to residents who serve themselves.~~

~~b. Food within containers such as bins of sugar or flour, with the dispensing utensil handle extended out of the food; must be clean and dry.~~

~~17. Ice obtained from outside the residential child caring agency shall be handled and transported and stored in a sanitary manner.~~

~~18. Food while being transported between residential child caring agencies or while being transported from a residential child caring agency to another location shall be in covered containers or otherwise wrapped or packaged to ensure protection from contamination. Potentially hazardous foods shall be kept at safe temperatures during all periods of transportation and delivery. Food utensils shall be completely wrapped or packaged to protect them from contamination.~~

~~a. The use of sanitizers, cleaning compounds or other compounds intended for use on food contact surfaces shall not leave a toxic residue on such surfaces or constitute a hazard to employees or consumers. Sanitize means the effective treatment of clean surfaces of equipment and utensils by an approved process which provides enough accumulative heat or concentration of chemicals for enough time that when evaluated for effectiveness a reduction in disease microorganisms is evident.~~

~~b. Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, or utensils, nor in any way that constitutes a hazard to staff or other persons, nor in a way other than in full compliance with the manufacturer's labeling.~~

~~c. First aid supplies and personal medications shall be stored in a way which prevents their contaminating food or food contact surfaces.~~

~~d. Poisonous or toxic materials shall be stored separate from food, food equipment, utensils, or single service articles.~~

~~(3) The following measures shall be used to inspect recreational areas in all residential child caring agencies.~~

~~(a) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.~~

~~(b) Outdoor recreational areas shall be well drained and kept free of litter and trash.~~

~~(c) If swimming pools, spas, hot tubs or open water hazards are located on the property of a community based residential facility, the facility shall provide direct supervision by an adult employee when in use or when the area is occupied by minors and other residents that cannot swim. The individual responsible for supervision during water activities or near water hazards must have successfully completed the community water safety course specified in paragraph (b) below.~~

~~1. A wading or kiddie pool is not allowed.~~

~~2. All community based residential facilities with swimming pools, spas, or open water hazards must have a person on staff who has completed a community water safety course administered by the American Red Cross or the YMCA.~~

~~3. A community based residential facility with a pool or spa has a barrier on all sides at least four feet high. All access~~

~~through the barrier shall have one of the following safety features: alarm, key lock, self locking doors, bolt lock or other lock that is not accessible to children. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.~~

~~4. Water safety devices shall be provided for residential pools. A shepherd's hook shall be provided securely attached to a one piece pole not less than 16 feet in length, and at least one 18 inch diameter lifesaving ring with sufficient rope attached to reach all parts of the pool from the pool deck. Safety equipment shall be mounted in a conspicuous place and be readily available for use.~~

~~Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)2 FS. History--New 7-1-87, Formerly 10M-9.019, Amended 6-3-12,_____.~~

65C-14.011 Fire Regulations.

~~Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.020. Repealed_____.~~

65C-14.012 Transportation Safety.

~~Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.021. Repealed_____.~~

65C-14.013 Food and Nutrition.

~~Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.022. Repealed_____.~~

65C-14.014 Health and Medical Services.

~~(1) General.~~

~~(2) The facility shall have a staff member on duty trained to administer first aid, including cardiopulmonary resuscitation (CPR), at all times.~~

~~(3) The child-caring agency facility shall assure that a first aid kit is available to staff members in each living unit with contents consistent with the American Red Cross current guidelines and the needs of children in care. The first aid kit shall be inaccessible to the children in care.~~

~~(4) All medical care beyond the provision of first aid shall be under the direction of a physician licensed under Chapter 458 or 459, F.S.~~

~~(5) The child-caring agency facility shall immediately notify the child's parent or guardian guardians, and the child-placing agency or the Department if the child is in the custody of the Department, of any serious illness, any incident involving serious bodily injury, pregnancy or childbirth, or any severe psychiatric episode requiring the hospitalization of a child.~~

~~(6) Provision shall be made for the temporary isolation of children with communicable disease. When such isolation is necessary, close supervision by staff shall be provided.~~

(7) All child-caring agencies facilities shall maintain linkages and cooperative agreements with community agencies, out-of-area programs, or individuals for services not directly provided by the agency, including a plan for handling emergency medical and dental needs of clients.

(8) All child-caring agencies facilities shall have written procedures in cases of emergencies or life threatening situations, including arrangements for emergency transport services for clients. Plans for provision of supervision must be made in cases of emergency when on duty staff are required to accompany a child to a hospital emergency room.

(9) Medication.

(a) All medicines and drugs shall be kept securely locked.

(b) The following shall be documented in the child's file upon admission:

1. The prescribing doctor's name;
2. Reason for prescription;
3. Quantity of medication in container at admission; and
4. Method of administration of medication either orally,

topically, or injected;

(c) All medicines and drugs shall be administered only by agency staff, except for children of parenting teens who are not in the custody of the Department. A log shall be kept of the administration of all medication which shall include the following:

1. Name of the child for whom medication is prescribed or to whom over the counter medication is administered;
2. Reason for over the counter medication administration;
3. Amount of medication administered;
4. Time of day the medication was administered;
5. Signature of child receiving the medication, when age appropriate;
6. Signature of staff member who administered the medication; and
7. Notation and reason for lack of medication administration, if applicable.

(d) Prescription medications shall be prescribed only by a duly licensed person.

(e) The child-caring agency shall not permit medication prescribed for one child to be given to another child.

(10) The child-placing agency shall obtain available medical information and consents prior to admission of a child.

(11) Medical information and consents shall include the following:

(a) Completion of a well-child check-up by a licensed physician or report of such an examination performed within twelve (12) months prior to admission.

(b) The child's medical history, including immunizations, and, in the case of parenting teens, the medical history of the infant or toddler.

(c) Written consent from the child's parent or guardian or a court order authorizing routine medical and dental procedures for the child, and to authorize emergency procedures when written parental consent cannot be obtained.

(12) The child-caring agency shall obtain the child's medical information that was not available prior to child's admission into the facility within 30 days of admission. Efforts to obtain the information shall be documented in the child's record.

(13) The child-caring agency shall have a written comprehensive policy for preventive, routine, emergency, and follow-up medical and dental care for all children.

(14) The child-caring agency is responsible for meeting the physical health needs of each child in its care. (a) The child-caring agency shall ensure that each child has an annual physical examination and follow-up care as recommended. For children under three (3) years, a well-child checkup shall be obtained in accordance with the American Academy of Pediatrics periodicity schedule.

(b) The child-caring agency shall ensure that each child has a dental examination every six (6) months and follow-up care as recommended.

(c) The child-caring agency shall ensure pregnant youth have prenatal and postnatal care.

(15) The facility shall have at all times a staff member on duty trained to administer first aid and cardiopulmonary resuscitation.

(16) The child-caring agency shall provide or arrange for medically recommended glasses, hearing aids, prosthetic devices, corrective physical or dental devices, or equipment recommended by a physician for children in care.

(17) The child-caring agency shall maintain confidential medical and dental records for each child in care. The records shall include the dates of immunizations, medications, examinations, and any treatments for specific illness or medical emergencies.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)2, 3, 9 FS. History—New 7-1-87, Formerly 10M-9.023. Amended _____.

65C-14.015 Administration of Medication.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 7-1-87, Formerly 10M-9.024, Repealed _____.

65C-14.016 Incident Notification Procedures.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 7-1-87, Formerly 10M-9.025. Repealed _____.

65C-14.017 Child Abuse and Neglect and Incident Notification Procedures.

(1) The child-caring agency facility shall have and follow procedures for handling any suspected incidents of child abuse or neglect involving staff.

(2) All suspected cases of child abuse and neglect shall be reported to the Florida Abuse Hotline department in accordance with Chapter 39 415, F.S., including critical incidents involving suspected child abuse and neglect.

(3) A provision shall be made for reporting and recording any suspected incident of abuse or neglect or endangerment to the program director of the child-caring agency facility.

(4) There shall be an immediate provision for protecting the victim and preventing a recurrence of the alleged incident pending investigation.

(5) The child-caring agency facility shall require each staff member to read and sign a statement which states the child abuse and neglect laws and outlines the staff member's responsibility to report all incidents of child abuse and neglect.

(6) The following critical incidents, defined in CF Operating Procedure No. 215-6, April 1, 2013, HRSR 0-10-1 dated January 1, 1986 which is herein incorporated by reference and available at www.dcf.state.fl.us/admin/publications/cfops, shall be reported to leadership in accordance with local incident reporting procedures for children in the care and custody of the Department:

(a) Child arrest.

(b) Child death.

(c) Young adult in extended foster care death.

(d) Child on child sexual abuse.

(e) Employee arrest.

(f) Employee misconduct.

(g) Missing child.

(h) Security incident.

(i) Sexual abuse/sexual battery.

(j) Injury to child or young adult requiring medical attention from a physician.

(k) Injury to staff requiring medical attention from a physician.

(l) Suicide attempt of child or young adult.

(7) Critical incidents shall be reported to the primary worker or supervisor as soon as the immediate needs of those involved in the incident have been addressed and other required notifications, such as to law enforcement, have been completed.

(a) Upon notification, the primary worker shall follow the local incident reporting procedures which shall result in entry of the incident's details into the Department's Incident Reporting and Analysis System (IRAS). All critical incidents must be entered into IRAS within one (1) business day of the critical incident.

(b) The primary worker or supervisor and the program director or designee shall coordinate notification to the parents or legal guardian.

(8) If a child who is being served voluntarily and is not in the care and custody of the Department is involved in any critical incident, the program director or designee shall notify the parents or legal guardian directly and the Department by submission of the "Statewide Critical Incident Report", CF-FSP 5262, April 2007, incorporated by reference and available at www.dcf.state.fl.us/admin/publications/cfops.

(9) All child-caring agencies shall report incidents in accordance with the Department's incident reporting procedures outlined in CF Operating Procedure No. 215-6, incorporated in subsection (6) of this rule.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History--New 7-1-87, Formerly 10M-9.026. Amended

65C-14.018 Individual Needs of Children in Care Community Interaction.

(1) The child-caring agency facility shall have written policies to involve children in community activities and services. The child-caring agency facility shall arrange for recreational and cultural enrichment and shall provide transportation and supervision as needed need for use of community resources to assure that resident children are allowed to become a part of the community. ~~Runaway programs will be exempted from this section.~~

(2) The child-caring agency facility shall ensure that any public appearances by the children involving publicity ~~or fund raising purposes~~ are voluntary and that the written consent of the child's ~~parent~~ parents or guardian is on file.

(3) Recreation, Leisure Activities, and Employment.

(a) The facility shall have a calendar of available indoor and outdoor recreational and leisure activities. Such activities shall be based on the group and individual interests and needs of the children in care.

(b) A reasonable and prudent parent standard, in accordance with Section 409.145(3), F.S., shall be applied in determining the level of supervision needed for recreational and leisure activities.

(c) If a child is employed, the child's employment shall be incorporated into the child's service or treatment plan.

(d) The child-caring agency shall assign chores appropriate to the age and ability of the children in care. Chores shall not conflict with schooling, visits with the children's family, or any other activities associated with meeting the goals of the service or treatment plan.

(e) There shall be daily time for privacy and individual pursuits for each child in care.

(4) The child-caring agency shall ensure that each child has the individual items necessary for personal hygiene and grooming and has training in personal care, hygiene, and grooming appropriate to the child's age, gender, race, culture and development. Children whose gender identity does not match their gender assigned at birth shall not be denied access to items necessary for or training regarding personal hygiene and grooming that are consistent with their gender identity or expression.

(5) The child-caring agency shall involve the child in the selection, care and maintenance of the child's personal clothing, as appropriate to the child's age and ability. The child-caring agency shall allow a child to possess and bring personal belongings. The child-caring agency may limit or supervise the use of these items while the child is in care; however, it may not restrict items based on the child's gender identity or expression.

(6) The child-caring agency shall send all personal clothing and belongings with the child when the child leaves the facility or will return clothing and personal items to the child-placing agency, parent or guardian, when applicable.

(7) A child and the child's parent or legal guardian (unless parental rights have been terminated by a court of competent jurisdiction) have the right to determine the child's religious affiliation.

(a) Child-caring agencies operating under religious auspices shall have the written permission of the child's parent or guardian if the child is required to attend religious services. If the parent or guardian is not able to be located to give consent, efforts to contact the parent or guardian shall be documented in the child's file.

(b) The child-caring agency shall make arrangements for an alternative activity for children not attending religious services.

(8) The child-caring agency shall ensure that each child has clean, well fitting, seasonal clothing, appropriate to the child's age and individual needs.

(9) Allowance

(a) The child-caring agency shall provide opportunities for children to learn the value and use of money by providing an allowance and opportunities for earning, spending, and saving.

(b) Allowance shall be provided at least monthly.

(c) Allowance shall not be tied to behavior or completion of chores.

(d) Children shall not be expected to use their allowance to purchase personal hygiene items, school supplies, clothing, or other necessities.

(e) The child-caring agency shall have a means of keeping children's money secure. A record of monies being held for

children shall be kept separate from the facility's financial accounts.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)2, 12, (e) FS. History--New 7-1-87, Formerly 10M-9.027, Amended_____.

65C-14.019 Recreation, Leisure Activities and Work Experience.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.028, Repealed_____.

65C-14.020 Clothing and Personal Belongings.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.029, Repealed_____.

65C-14.021 Discipline and Behavior Management, Control and Punishment.

(1) The child-caring agency facility shall have written policies on discipline and behavior management, ~~control and punishment~~ which shall be provided to each child ~~all children~~, parent or guardian, child-placing agency staff, ~~agencies~~ and the ~~Department~~. The policies for discipline and behavior management ~~and control~~ shall emphasize positive, instead of punitive, methods and shall include the following:

(a) Means for teaching ~~and training~~ children which emphasize praise and encouragement for exhibiting self-control and desirable behavior;

(b) Methods for protecting children or others when a child is out of control and the child's ~~his~~ behavior is likely to endanger him or herself, other persons or property.

(2) If separation from others is used as a discipline control measure, the facility shall ~~have provide~~ an unlocked, lighted, well-ventilated room of at least 50 square feet and within hearing distance of a staff member. The time limit for isolation shall not exceed 60 minutes. ~~The restrictions in regard to the use of isolation will not apply to facilities certified under Administrative Chapter 65E-10, F.A.C. for the care of emotionally disturbed children.~~

(3) Facility staff shall not:

(a) Use physical punishment, inflicted in any manner on the body.

(b) Ridicule, intimidate or verbally abuse children.

~~(c) Use chemical or mechanical restraints unless used under a physician's order in a facility certified under Administrative Chapter 65E-10, F.A.C.~~

~~(c)(d)~~ Employ cruel or humiliating treatment or other emotionally abusive behavior.

~~(d)(e)~~ Assign excessive exercise or work duties which are inappropriate to the child's age or development.

~~(e)(f)~~ Deny food, clothing, shelter, medical care or prescribed therapeutic activities, or contacts with family, case

manager ~~counselors~~—or legal representatives as a form of punishment.

(f) Threaten a child with removal from the facility.

(g) Engage in discriminatory treatment or harassment on the basis of a child's race, national origin, religion, gender, gender expression, sexual orientation, or disability.

(h) Permit harassment or bullying of children by staff or other youth based on their race, national origin, religion, gender, gender expression, sexual orientation, disability, or any other characteristic.

(i) Attempt to change or discourage a child's sexual orientation, gender identity, or gender expression.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History—New 7-1-87, Formerly 10M-9.030. Amended

65C-14.022 Records and Confidentiality Requirements Permanent Register.

(1) The child-caring agency facility shall maintain a permanent register of all resident children which shall include the following:

(a) The name and birth date names of the child;

(b) The name and address of the child's ~~his~~ parents or guardians or child-placing agency;

(c) The child's dates ~~, address, date~~ of admission and discharge; and

(d) The ~~, the~~ child's birthdate, and his custody status.

(2) The child-caring agency shall maintain individual records for each child in care which shall include the following:

(a) The name, gender, race, religion, birth date, and birthplace of the child;

(b) The name, address, and telephone number of the parent or guardian, siblings, grandparents, or other persons significant to the child;

(c) A social history of the child, the child's family and other significant persons, and any other information required by the residential child-caring agency;

(d) Copies of legal documents relating to the child;

(e) Date of admission, source of referral, and social assessment from the referring agency;

(f) Medical history, cumulative health record, treatment and clinical records and progress reports, and any psychological and psychiatric reports;

(g) Educational records and reports;

(h) Vocational exploration and training and employment records, if applicable;

(i) Records of special or critical incidents in the child's life;

(j) The child's case plan, reviews and revisions reflecting the child's and family's goal achievement;

(k) Referrals to other agencies; and

(l) Discharge summary.

(3) Information in case records shall be kept confidential. This includes sharing information with other children in the group home.

(4) Staff entries in case records shall be dated and signed.

(5) The case record shall be maintained for a minimum of five (5) years after a child has been discharged.

(6) The identity of any child who has tested positive for the HIV virus shall be disclosed to an employee of the Department or child-caring or child-placing agency directly involved in the placement, care, or custody of such child and only when the employee needs to know such information in order to safely perform job duties. An employee has a need to know the identify of a child and the child's test results if:

(a) The employee is involved in case specific services, such as assessing needs, determining eligibility, arranging care, monitoring case activities, permanency planning and providing care for the child in residential placement; or

(b) The employee is involved in case specific supervision or monitoring of cases for eligibility or legal compliance or casework services, or

(c) The employee is involved in providing case specific clerical and vouchering support.

(7) The identify of a child who has tested positive for the HIV virus must be disclosed to a foster family, or child-caring or child-placing agency licensed pursuant to Florida Statutes, who is directly involved in the care of such child and has a need to know such information. The identity of the child shall be disclosed only after the following conditions have been met:

(a) The Department or child-placing or child-caring agency has provided all available information, including HIV test results, social information and special needs, in a manner that does not permit identification of the child, and

(b) The decision to place the child in a specific placement has been confirmed.

(8) The child-caring, child-placing agency, foster home or adoptive home who has accepted an HIV infected child for care shall be given a statement in writing which includes the following language: "This information has been disclosed to you from confidential records. The confidentiality of this record is protected by state law. State law prohibits you from making any further disclosure of such information without the specific written consent of the person to whom such information pertains, or as otherwise permitted by state law."

(9) The child's record shall contain documentation that the written statement was given to the child-caring, child-placing agency or to the foster or adoptive parents.

(10) The case files shall not be segregated or flagged in any way which would permit their identification as case files of HIV infected children.

Rulemaking Specific Authority 409.175(5)(a), 381.004(2)(e)11 FS. Law Implemented 409.175(5)(a), 381.004(2)(e)11, (f) FS. History—New 7-1-87, Formerly 10M-9.031, Amended _____.

65C-14.023 Personnel and Staffing Requirements Staff Qualifications.

(1) All The facility shall employ personnel employed in a caregiver role shall receive parent preparation training in accordance with s. 409.145(2)(e), F.S., prior to unsupervised contact with children, who have demonstrated qualities which enable them to work well with children in group care, such as: The capacity to give and receive affection, sensitivity, flexibility, emotional maturity, the ability to deal with frustration and conflict, a sense of humor, and a capacity to respect persons with differing lifestyles and philosophies.

(2) The facility shall employ personnel who have knowledge and an understanding of discipline and ways of helping a child build positive personal relationships.

(3) The facility shall perform screening and background checks which shall include, but not be limited to, employment history checks over the past two years, if applicable, two character references, an abuse registry clearance, a local criminal records check and a state and federal criminal records check. The state and federal criminal records check requires the submission of fingerprints in accordance with Section 409.175, F.S. Screening and background checks are to be completed on all personnel having direct contact with children in compliance with Section 409.175, F.S.

(2)(4) Staff who are employed to work directly with children shall be at least 18 years of age.

(3)(5) The facility shall have a personnel file for each employee which shall include but not be limited to the following:

(a) The application for employment, including a two-year employment history check, if applicable;

(b) A signed “Affidavit of Good Moral Character,” CF 1649, January 2015, incorporated by reference and available at www.dcf.state.fl.us/publications/;

(c) A minimum of ~~three (3) two~~ character reference letters or reference checks from unrelated individuals who have known the applicant for at least two (2) years, verifying that the employee is of good moral character and is suitable to work with children;

(d) Verification of background screening, including:

1. Fingerprinting;

2. Statewide criminal records checks through the Florida Department of Law Enforcement;

3. Juvenile records checks through the Florida Department of Juvenile Justice;

4. Federal criminal records checks through the Federal Bureau of Investigation;

5. Local criminal record checks through local law enforcement agencies, including records of any responses to the home by law enforcement that did not result in criminal charges;:

6. Abuse and neglect records checks through the Department’s Florida Safe Families Network (FSFN); and

7. Civil court records checks regarding domestic violence complaints and orders of protection.

8. If the applicant or any other adult household member has resided in any other state during the past five (5) years, requests for abuse and neglect histories and civil court records regarding domestic violence complaints and orders of protection must be made of those states, and the results of such requests included with the personnel file.

a delinquency record screening, if applicable;

(e) Local law enforcement criminal records clearance;

(f) Verification of an Abuse Registry clearance and criminal records check, including fingerprint clearance, through the Florida Department of Law Enforcement and the Federal Bureau of Investigation;

(e) A signed “Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, January 2015, incorporated by reference and available at <http://dnp1.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>, for staff employed in a caregiver role.

(f)(g) Medical information relating to health or mental health conditions, including medication(s), that may interfere with the employee’s ability to meet the expectations set out in the “Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, incorporated by reference in subsection (3)(e) of this rule medical problems of the employee;

(g)(h) Employee’s start starting and termination dates and reason for termination;

(h)(i) Annual performance evaluations and any disciplinary actions taken;

(i)(j) Training record and conferences attended.

(4)(6) The child-caring agency facility shall have written procedures which safeguard the confidentiality of the personnel records.

(5)(7) The child-caring agency facility shall maintain for a period of ~~5 years~~, the personnel file of an employee who leaves the facility for a period of five (5) years .

(6) The child-caring agency shall have staff coverage at all times to provide for the services identified in the agency’s statement of purpose.

(7) The child-caring agency shall develop and follow a written staff to child ratio formula. The formula shall be

appropriate to the agency's purpose and to the types, ages, and functioning levels of the children in care. The staff to child ratio shall assure the children's safety, protection and privacy, as well as physical, hygienic, emotional and developmental needs. The staff to child ratio shall be at least:

(a) One direct care staff member or trained volunteer to six (6) children, when children six (6) years of age or older are awake and one (1) to 12 when children are sleeping; or

(b) Children under the age of six (6) shall be supervised by a staffing ratio of one (1) to four (4) when children are awake and one (1) to six (6) when children are sleeping.

(8) For group homes that house parenting young adults, the child of the young adult shall be counted in the staff to child ratio if the child is in the custody of the Department. The child of the young adult shall not be counted in the staff to child ratio if the child is in the custody of the young adult.

(9) The child-caring agency shall designate a staff member on the premises when children are present in the home or expected to be present, and when children are or will be in need of supervision.

(10) The child-caring agency shall have and follow a written plan to provide additional emergency staff when only one (1) staff member is on duty.

(11) The child-caring agency shall designate one (1) on-site staff member as the caregiver. This person shall be trained on how to apply the reasonable and prudent parent standard, in accordance with Section 409.145(3), F.S., in the same manner as prospective foster parents.

(12) The child-caring agency shall count any children living with staff families in the child to staff ratio.

(13) The child-caring agency shall provide supervision to each staff member working with children and parents.

(14) Volunteers.

(a) A child-caring agency which utilizes volunteers to work directly with children shall:

1. Develop a description of duties and specific responsibilities; and

2. Develop a plan for the orientation and training in the philosophy of the child-caring agency, the needs of the children in care, and the needs of their families.

(b) Volunteers who perform the same or substantially similar services for children as a paid employee shall have the same qualifications and training as the paid employee for the position and shall receive the same supervision and evaluation as the paid employee.

(c) Records shall be kept which document the hours and activities of volunteers.

(d) Volunteers that have unsupervised contact with children will be required to meet the background screening requirements of Section 409.175, F.S., in the same manner as employees of the child-caring agency.

(e) Volunteers who have supervised contact with children for more than 10 hours per month will be required to meet the background screening requirements of Section 409.175, F.S., in the same manner as employees of the child-caring agency.

(15) Residential child-caring agency personnel shall have the following qualifications:

(a) Executive directors hired after July 1, 1987 shall have a bachelor's degree from a college or university and at least three (3) years of experience in management or supervision.

(b) Program directors, or staff serving a similar function, who are responsible for supervising, evaluating and monitoring the delivery of services within the child caring agency and for supervising supervisors of direct care staff shall have a master's degree in social work or in a related area in s. 402.402(1)(b), F.S. of study from a college or university and at least two (2) years of experience in social services, or a bachelor's degree from a college or university and four (4) years of experience working with children.

(c) Staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work, or in a related area of study from a college or university, and at least two (2) years of experience working with children or two (2) years of college and four (4) years of experience working with children.

(d) Staff who perform direct counseling to children and their families shall meet the qualifications as required in the "Agency for Health Care Administration, Community Behavioral Health Services Coverage and Limitations Handbook," March 2014, incorporated by reference and available at www.AHCA.myflorida.com.

(16) The child-caring agency shall have a written plan for the orientation, ongoing training, and professional development of all staff members.

(17) The child-caring agency shall provide initial orientation for all new employees during the first two (2) weeks of their employment. This orientation shall include job responsibilities, agency administrative procedures, and supervision of residents.

(18) The child-caring agency shall ensure that staff members working directly with children receive at least 40 hours of training activities during each full year of employment. Activities related to supervision of the staff member's routine tasks shall not be considered training activities for the purposes of this requirement.

(19) The child-caring agency shall document that training received by direct child care staff includes the following areas:

(a) Administrative procedures and overall program goals;

(b) Understanding of children's emotional needs and problems which affect and inhibit their growth;

(c) Family relationships and the impact of separation;

(d) Substance abuse: recognition and prevention;

(e) Identification of and reporting responsibilities in regard to child abuse and neglect;

(f) Principles and practices of child care;

(g) Behavior management techniques, including crisis management and passive physical restraint;

(h) Emergency and safety procedures; and

(i) The screening, supervision and use of volunteers.

(j) Sexual orientation, gender identity, and gender expression.

(k) Trauma-informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship.

(20) The child-caring agency shall have written personnel policies and practices conducive to the recruitment, retention, and effective performance of qualified personnel. These policies and practices shall include the following:

(a) Written job descriptions and titles for each position defining the qualifications, duties, and lines of authority;

(b) Provisions which will encourage professional growth through supervision, orientation, in-service training, and staff development;

(c) Provisions for inexperienced direct care staff members to accompany experienced staff until new staff members are able to effectively protect the health and safety of children;

(d) Procedures for annual evaluation of the work and performance of each staff member and for six (6)-month evaluations of each new direct care staff member, which include provisions for employee participation in the evaluation process;

(e) A description of the termination procedures established for resignation, retention, or discharge;

(f) A grievance procedure for employees and a plan for review of the personnel policies and practices with staff participation no less than once every three (3) years, and for revision when necessary.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)1, 4, 5, 7, 9 FS. History–New 7-1-87, Formerly 10M-9.033, Amended _____.

65C-14.024 Staffing Requirements.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Amended 8-3-88, Formerly 10M-9.034, Repealed _____.

65C-14.025 Volunteers.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Amended 8-3-88, Formerly 10M-9.035, Repealed _____.

65C-14.026 Organization.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Amended 8-3-88, Formerly 10M-9.036, Repealed _____.

65C-14.027 Confidentiality Related to HIV Infected Children.

Specific Authority 409.175 FS. Law Implemented 409.175, 381.609(3)(f)10. FS. History–New 9-19-90, Formerly 10M-9.037, Repealed _____.

65C-14.040 Admission, Placement, and Ongoing Services Planning.

(1) The child-caring agency facility shall have written admission procedures which:

(a) Establish admission criteria which includes the ages of the children and young adults to be served;

(b) List the materials and forms required from the parent or guardian, parents or child or child-placing agency, and child;

(c) Outline preplacement procedures for the child, the child's his parent or, guardian, the child-caring or child-placing agency and the Department; and

(d) For runaway shelters, include written policies and procedures governing the conditions under which it will serve children without parental consent. Describe the method used to assign each child to an appropriate group.

(2) The admission of each child in the care and custody of the Department to a residential child-caring agency shall follow completion of a pre-admission study completed by either the child-placing referring agency or the residential child-caring agency, and shall include the following:

(a) A determination that the child can no longer remain in his home, the home of relatives or current living arrangements, and that group care is appropriate for the child's to his needs. This determination shall be based upon interviews with the child, parent or, guardian, or other appropriate persons with relevant information.

(b) Orders of court commitment or a voluntary placement agreement with parents or, guardian, or child-placing agency legal custodian.

(c) A social history of the child, the child's his family and other significant persons and any other information required by the residential child-caring agency.

(d) A written placement agreement signed by the parents or, guardian, or agency having legal custody of the each child admitted, including financial arrangements, and regulations and procedures designated to encourage and facilitate parental visitation.

(e) For transgender youth, a determination whether the youth should be placed with their gender assigned at birth or their identified gender. Factors to be considered shall include:

1. The physical safety of the transgender youth;

2. The emotional well-being of the transgender youth;

3. The youth's preference;

- 4. The recommendation of the youth's guardian ad litem;
- 5. The recommendation of the youth's parent, when parental rights have not been terminated;
- 6. The recommendation of the youth's case manager; and
- 7. The recommendation of the youth's therapist, if applicable.

(3) The child-caring agency facility shall only accept children who meet the admission criteria.

(4) No child shall be denied placement in any child-caring agency facility based on race, religion, gender, gender expression, sexual orientation, or transgenderism.

(5)(4) No child under the age of six (6) years, or the age of enrollment in the first grade of school, shall be admitted to a residential child-caring agency except under emergency circumstances or to prevent the separation of siblings or a parenting young adult and child a family. An emergency placement of a child under six (6) years shall be documented in the child's case record, verifying that no alternate plan for care was available at the time of admission. Continued diligent effort shall be made, including referral to the Department to place a child under age six (6) in foster care or other appropriate care. Such plans shall be made within 30 days of the child's admission. Residential care for children under six (6) years who are part of a sibling group may be continued, if separation would cause additional trauma to the child as appropriate.

(6) The child-caring agency shall provide prior to or at admission an orientation to living in the facility for each child and the child's parent or guardian or child-placing agency staff. The orientation shall include the following:

- (a) Rules of the facility;
- (b) Expectations for the caregivers;
- (c) Expectations for the child;
- (d) Behavior management practices;
- (e) The inherent diversity of group home populations, including race, ethnicity, gender, religion, sexual orientation, gender expression; and transgenderism.

(7) The child-caring agency shall provide each child and the child's parent or guardian and the Department with written policies governing the care of children, including visitation and discipline policies.

(8) The child-caring agency shall have written policies that encourage and support family visits, mail, telephone calls, and other forms of communication with parents, relatives, friends or others with whom the child may have a significant relationship. A copy of the policies shall be provided to all children, child-placing staff, parents or guardians, and the Department.

(9) The child-caring agency shall have a written agreement with the child and parent or guardian, and the

Department or the licensed child-placing agency which describes the following:

(a) The frequency of contact with the child's family and staff from the agency.

(b) A plan for sharing information about the child's care and development with the parent or guardian, and the Department.

(c) The child-caring agency's participation in the ongoing evaluation of the child's needs and progress.

(d) Visitation plans for the child's parent or guardian, agency or the Department.

(e) Provisions for service or treatment plan development and review.

(f) The conditions under which the child will be released from the program.

(g) A designation of responsibility for post-release services.

(10) The written agreement shall be kept in the child's file and shall be available for review by the Department.

(11) A trauma-informed approach shall be used in all child-caring agencies.

(12) Each child's needs and trauma history shall be considered when making roommate assignments.

(13) The child-caring agency shall develop a written service or treatment plan within 30 days of placement for each child admitted into care. Child-caring agencies operating as an emergency shelter shall initiate service planning within 24 hours of admission.

(14) The development of the service or treatment plan shall include:

(a) The child's parents or guardian and other appointed representatives and a representative of the referring agency, if appropriate; and

(b) Child-caring agency staff.

(15) The service or treatment plan shall include the following:

(a) An assessment of the child's and family's needs, strengths, weaknesses, and problems;

(b) An assessment of the child's life skills; educational, vocational, recreational and physical and behavioral health needs; and a plan for meeting the child's needs;

(c) Arrangements for individual or group counseling, as needed; and

(d) A projection in regard to the child's length of stay and an initial plan for discharge.

(16) The child-caring agency shall review each child's service or treatment plan at least every six (6) months. The review shall involve the child, the facility staff members working directly with the child, the parent or guardian, and the child-placing agency or Department.

(17) At the time of the review, the service or treatment plan shall be revised to include the following:

(a) Progress made toward achieving the goals established in the previous service or treatment plan.

(b) Any changes in the service or treatment plan.

(c) A projected date for the child's release from care.

(18) Each child in residence shall attend school in accordance with the laws of the State of Florida. The child-caring agency shall plan jointly with school personnel and the parent or guardian or child-placing agency staff to place children in appropriate grades and classes and to help them make an adjustment to their school.

(19) Maintaining the child's school stability while in out-of-home care in the school or educational setting the child attended prior to entry into the facility is first priority, unless remaining in the same school or educational setting is not in the best interest of the child for safety or other reasons as documented in FSFN. Children shall be encouraged to participate in afterschool clubs, sports and other extracurricular activities.

(20) If an on-campus educational program is provided to resident children, the program shall be designed to meet the educational needs of each child. All on-campus educational programs must be accredited.

(21) If non-school age children are enrolled in child care, priority consideration for the choice of child care setting shall be chosen by the caregiver in the following order:

1. Gold Seal accredited child care providers or providers participating in a quality rating system;

2. Licensed child care providers;

3. Public school providers;

3. License exempt child care providers, including religious exempt, registered, and non-public schools.

(22) Residential child-caring agencies which provide therapeutic or psychiatric treatment programs shall integrate such programs with the child's educational program.

(23) The residential child-caring agency shall encourage children of legal work age to find employment in the community in accordance with the service or treatment plan. The child-caring agency shall ensure children have transportation to and from their employment.

(24) The residential child-caring agency shall encourage and assist children, as age-appropriate, to explore opportunities for higher education.

(25) The residential child-caring agency shall provide education and instruction in life skills which shall include the following:

(a) Vocational exploration opportunities;

(b) Problem solving and decision making;

(c) Independent living skills;

(d) Social skills;

(e) Internet safety; and

(f) In maternity homes, parenting skills and family planning.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)1, 2, 9,10 FS. History--New 7-1-87, Formerly 10M-9.041. Amended

65C-14.041 Medical Information.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.042. Repealed

65C-14.042 Orientation.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.043. Repealed

65C-14.043 Child's Case Record.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.044. Repealed.

65C-14.044 Placement Agreement.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.045. Repealed.

65C-14.045 Program Services for Children in Care.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.046. Repealed.

65C-14.046 Continuing Service Plan and Review.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.047. Repealed.

65C-14.047 Educational and Vocational Services.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.048. Repealed.

65C-14.048 Discharge Release Planning and Post-release Services Aftercare.

(1) The residential child-caring agency facility shall have a written policy on discharge release planning and post-release aftercare—services which shall specify the availability of services service and identify the staff member or agency responsible for follow-up and implementation of the plan.

(2) A child may only be discharged to the parent, guardian or child-placing agency, unless the child-caring agency facility is otherwise directed by the court.

(3) The residential child-caring agency facility shall prepare a written discharge summary release plan and document this in the child's case record at least 14 calendar 45 days prior to the projected date of release from the facility, unless the release is unplanned and unforeseen as when a child becomes ill or absconds. A copy of the discharge summary plan shall be provided to the parent or guardian or referral agency at least seven (7) calendar 30 days prior to the

proposed release date, unless the release is unplanned and unforeseen.

(4) The discharge summary plan shall include, ~~but not be limited to~~ the following:

(a) A summary of services, an assessment of goal achievement, and identification of the needs which remain to be met;:-

(b) Recommendations for the child and family following release from care, including provisions for support and referrals;:-

(c) The date and reasons for release, the name, address, telephone number and relationship of the person or agency to whom the child is being discharged; and-

(d) A copy of the child's medical, dental, educational and other records for the use of the person or agency who will assume care of the child.

Rulemaking Specific Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)9 FS. History--New 7-1-87, Formerly 10M-9.049. Amended _____.

65C-14.049 Religious and Ethnic Heritage.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.050, Repealed _____.

65C-14.050 Interior Space.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.052, Repealed _____.

65C-14.051 Food Service.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.053, Repealed _____.

65C-14.052 Health Care.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.054, Repealed _____.

65C-14.053 Apparel and Allowance.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.055, Repealed _____.

65C-14.054 Personnel.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.056, Repealed _____.

65C-14.055 Job Functions and Staff Qualifications.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.057, Repealed _____.

65C-14.056 Staff Development.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.058, Repealed _____.

65C-14.060 Standards for Contracted Emergency Shelters.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.061, Repealed _____.

65C-14.061 Standards for Runaway Shelters.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.066, Repealed _____.

65C-14.072 Medical Information.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.072, Repealed _____.

65C-14.074 Counseling Services.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.074, Repealed _____.

65C-14.075 Education and Vocational Service.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.075, Repealed _____.

65C-14.078 Interior Furnishings and Space.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.079, Repealed _____.

65C-14.079 Staffing Requirements for Maternity Residences.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.080, Repealed _____.

65C-14.080 Food Service.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.081, Repealed _____.

65C-14.090 Exemptions.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Amended 8-3-88, Formerly 10M-9.087, Repealed _____.

65C-14.096 Case Plan.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.093, Repealed _____.

65C-14.099 Aquatic Safety Procedures.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.096, Repealed _____.

65C-14.100 Fire and Weather Safety-

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.097, Repealed _____.

65C-14.101 Sedentary Programs.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.098, Repealed _____.

65C-14.102 Mobile Programs.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.099, Repealed.

65C-14.104 Job Descriptions.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.101, Repealed.

65C-14.110 Specific Exemptions for Wilderness Camps.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.104, Repealed.

65C-14.111 Structural and Safety Requirements.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.105, Repealed.

65C-14.112 Clothing and Personal Needs.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.106, Repealed.

65C-14.113 Water Safety.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.107, Repealed.

65C-14.114 Admission, Education and Case Record Procedures.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.108, Repealed.

65C-14.115 Wilderness Camp Personnel Policies.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.109, Repealed.

65C-14.116 Administrative Actions, Appeals and Closures.

(1) General Information. The Department is the Regional Licensing Authority for all child-caring agencies and has final authority for approval, denial or suspension of any license.

(a) The denial, revocation, or suspension of a license shall be recorded in FSFN by the Regional Licensing Authority.

(b) The Regional Licensing Authority shall notify the community-based care (CBC) lead agency immediately of negative action taken regarding a license.

(2) Denial of Initial Licensure.

(a) The Regional Licensing Authority shall have 90 days following receipt of a complete application packet to grant or deny the application in accordance with Section 120.60, F.S.

(b) If the Regional Licensing Authority determines that the applicant should not be licensed, the applicant shall be notified in writing within 10 business days of the determination, identifying the reasons for the denial, the statutory authority for the denial and the applicant’s right of appeal pursuant to Chapter 120, F.S. The applicant shall be

afforded the opportunity to withdraw the application. If the applicant elects to withdraw the application, this must be documented in writing in the licensing file.

(3) Administrative Action for Existing Child-Caring Agencies.

(a) The Department shall consider the following factors when determining whether a child-caring agency’s license will be suspended or revoked:

1. Whether the agency has had licensing violations during the term of the license;

2. Whether the licensing violations compromise the safety or well-being of children; and

3. Whether the agency has failed to comply with a corrective action plan during the term of the license.

(b) If as a result of the investigation the Department makes a decision not to revoke, suspend, or deny further licensure, the Department shall prepare a written corrective action plan to correct the deficiencies.

1. The plan shall be developed in conjunction with the child-caring agency.

2. The plan shall be in writing and signed by the executive director or designee of the child-caring agency. A copy of the plan shall be provided to the agency.

3. Failure of the child-caring agency to timely comply with the corrective action plan shall result in suspension, denial of relicensure, or revocation of the license.

(c) If as a result of the investigation the Department makes a decision to revoke, suspend, or deny further licensure, notice shall be delivered via personal service or certified mail pursuant to s. 120.60(5), F.S., which shall include the statutory and rule violations that were found, shall advise of the action to be taken, and the right to challenge the action through an administrative proceeding as provided in Chapter 120, F.S.

(4) Documentation Requirements Prior to Administrative Action.

(a) Before making a determination that a license shall be denied, suspended or revoked, the following shall be documented in the licensing file:

1. All qualifying abuse reports and all reports of licensing violations and the outcome of the investigation;

2. List of all deficiencies or conditions, other than abuse or neglect of the children, which compromise the safety or well-being of the children;

3. The length of time and frequency of the noncompliance with the licensing requirements or deficiencies in caring for children;

4. The date of written notification to the licensee as to the deficiency and time given to the licensee to correct the deficiency;

5. The Regional Licensing Authority’s and/or CBC lead agency’s efforts to help the licensee come into compliance;

6. Barriers, if any, which prohibit the licensee from correcting the deficiencies; and

7. All license revocations and denials shall comply with requirements of Chapter 120, F.S.

(b) All documentation shall be reviewed with the Department’s legal counsel. The notice of revocation or denial shall not be sent to the child-caring agency without approval of the Department’s legal counsel.

(5) Voluntary Agency Closures.

(a) If a child-caring agency ceases operation for any reason, it shall notify the Department in writing at least 30 calendar days prior to closing and shall coordinate the following:

1. Transition of any children in its care to the applicable child-placing agency or to the Department; and

2. Return of all open and closed records to the Department.

(b) If a child-caring agency ceases operation, the Department shall document in FSFN:

1. The reason for closure and whether re-licensing would be recommended;

2. If renewal would not be recommended, the reasons re-licensing would not be recommended;

3. If the closure is voluntary and in lieu of revocation or denial of a license, the concerns of the Department regarding the child-caring agency.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a), (6) FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tory Wilson
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 6, 2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.087
RULE TITLE: Exemption for Power Farm Equipment; Suggested Exemption Certificate for Items Used for Agricultural Purposes
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. 211, October 29, 2015 issue of the Florida Administrative Register.

The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

•Paragraph (4)(a) of the proposed language is revised so that when adopted, it will read as follows:

(4)(a) The portion of sales price below \$20,000 for a trailer weighing 12,000 pounds or less and purchased by a farmer for exclusive use in agricultural production, or to transport farm products from the farm to the place where the farmer transfers ownership of the farm products, is exempt from tax. This exemption is allowed regardless of whether the trailer is required to be or is licensed as a motor vehicle under Chapter 320, F.S. The portion of the sales price at or above \$20,000 for such a trailer remains subject to tax. This exemption does not apply to leases or rentals of trailers. The exemption for trailers under this paragraph will not be allowed unless the purchaser furnishes the seller a written certificate that the purchased items qualify for the exemption under Section 212.08(3), F.S. The format of a suggested certificate is contained in subsection (10).

•New paragraph (10)(g) is created to read:

(g) The following is a suggested format of an exemption certificate to be issued by any person purchasing a trailer qualifying for a partial exemption under Section 212.08(3)(b), F.S. The Department does not furnish the printed exemption certificate to be executed by purchasers when purchasing trailers qualifying for the partial exemption.

SUGGESTED EXEMPTION CERTIFICATE

FARM TRAILERS WEIGHING 12,000 POUNDS OR LESS

This is to certify that the trailer described below, purchased on _____ or _____ after _____ (date) from _____ (Selling Dealer's Business Name) is purchased by a farmer in accordance with s. 212.08(3)(b), F.S., for exclusive use in agricultural production or to transport farm products from his or her farm to the place where the farmer transfers ownership of the farm products to another.

DESCRIPTION OF TRAILER INCLUDING WEIGHT:

Note: Any portion of the sales price in excess of \$20,000.00 is subject to sales tax. I understand that if I use the equipment for any purpose other than the one stated, I must pay tax on the initial \$20,000 of the purchase price of the trailer directly to the Department of Revenue. I understand that if I fraudulently issue this certificate to evade the payment of sales tax, I will be liable for payment of the sales tax plus a penalty of 200%

of the tax and may be subject to conviction of a third-degree felony. The exemption specified by the purchaser may be verified by calling 800-352-3671.

Purchaser's Name

Purchaser's Address

Name and Title of Purchaser's Authorized Representative

Sales and Use Tax Certificate No. (if applicable)

By

(Signature of Purchaser or Authorized Representative)

Title

(Title – only if purchased by an authorized representative of a business entity)

Date

In addition, the Law Implemented has been revised to remove citations to sections 212.07(5) and 823.14(3), F.S., as they are not currently implemented by this rule.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12A-1.097 Public Use Forms

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. 211, October 29, 2015 issue of the Florida Administrative Register.

The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

The title of the form found in paragraph (5)(g) should read as follows:

Form Number	Title	Effective Date
(g) DR-15MO	<u>Out-of-State Purchase Return Florida Tax on Purchases</u> (R. <u>08/13</u>)	<u>01/14</u>

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-03620>)

The title of the form found in subsection (7) should read as follows:

Form Number	Title	Effective Date
(7)(8) DR-17A	Certificate of Cash Deposit or Cash Bond (R. <u>03/10</u>)	<u>06/10</u>

(<http://www.flrules.org/Gateway/reference.asp?No=Ref->)

The title of the form found in paragraph (8)(b) should read as follows:

Form Number	Title	Effective Date
(8)(b) DR-18N	Application for Amusement Machine Certificate General	_____

Information and Instructions

(<http://www.flrules.org/Gateway/reference.asp?No=Ref->)

The title of the form found in subsection (14) should read as follows:

Form Number	Title	Effective Date
(14)(18) DR-99A	Affidavit for Occasional or Isolated Private or Casual	<u>08/92</u>

Sale of a Motor Vehicle (R. 07/94)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref->)

The title of the form found in subsection (15) should read as follows:

Form Number	Title	Effective Date
(15)(19) DR-123	Affidavit for Partial Exemption of Motor Vehicle Sold	<u>08/92</u>

to a Resident of Another State for Licensing Outside of Florida (R. 06/94)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref->)

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-8.003 Tax Statement; Overpayments

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 211, October 29, 2015 issue of the Florida Administrative Register.

The following corrections are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

The calendar year in the title of the form found in paragraph (5)(a) should be 2015, as follows:

Form Number	Title	Effective Date
(5)(a) DR-908	Insurance Premium Taxes and Fees Return for Calendar	<u>01/15</u>

Year 2015 ~~2014~~ (R. 01/15)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-04873>)

The calendar year in the title of the form found in subsection (6) should also be 2015, as follows:

(6) DR-350900	<u>2015</u> 2014 Insurance Premium Tax Information for	<u>01/15</u>
	Schedules XII and XIII, DR-908 (R. <u>01/15</u>)	

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-04875>)

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:
 12C-2.0115 Public Use Forms
 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. 211, October 29, 2015 issue of the Florida Administrative Register.

The following change is made in response to written comments received from the staff of the Joint Administrative Procedures Committee:

The Department revises page 1 of the incorporated material, form DR-601G, as follows:

The line “I hereby certify that this return has been examined by me and to the best of my knowledge is a true and correct return.” is replaced with “Under penalties of perjury, I declare that I have read the foregoing tax return and that the facts stated in it are true.” This change is in accordance with sections 213.37 and 92.525, F.S.

In addition, section 213.37, F.S., is added as a law implemented by this rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:
 40C-1.1101 Amendments to and Releases of
 Conservation Easements.
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 204, October 20, 2015 issue of the Florida Administrative Register.

The notice’s SUMMARY section is corrected to read as follows: The existing rule is proposed for repeal so that the St. Johns River Water Management District will not be the only water management district with a rule on this subject. Following repeal, the District will use applicable statutory provisions in chapter 373, Florida Statutes, to evaluate a request for release or amendment of a conservation easement received solely in compliance with regulatory requirements. These provisions include sections 373.096, F.S. (entitled “Releases”) and 373.089 (entitled “Sale or exchange of lands, or interests or rights in lands”). Under section 373.096, the District’s governing board “may release any easement ... for which it has no present or apparent future use under terms and conditions determined by the board.” If a proposed release or amendment would involve a sale or an exchange, the District will also apply the provisions of 373.089, F.S. Actions on requests involving application of these statutes on a case-by-case basis will be taken at a governing board meeting duly noticed in accordance with chapter 120, Florida Statutes.

Additionally, the section “FULL TEXT OF THE PROPOSED RULE IS” contained a typographical error and should have referenced “40C-1.1101 Amendments to and Releases of Conservation Easements” and not 40C-1.1102, F.AC.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
 61K1-3.001 Licenses, Permits; Requirement, Procedure
 and Period, Fee, Bout Card Approval
 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. 44, March 5, 2015 issue of the Florida Administrative Register.

The change is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 26, 2015. The change is as follows:

61K1-3.001(1)(b)1.: The notice of proposed rule incorporates Form BPR-0009-450, “Application for License,” effective January 2010, will be corrected to the revision date of September 2015.

Reference to rule paragraph 61K1-3.001(c) shall be corrected to read as 61K1-3.001(1)(c).

61K1-3.001(2)(b)1.b. incorporates Form BPR-0009-454, “Application for Permit” effective October 2012. The revision date of the form will be corrected to read as October 2014. Reference to the requirement that the form be signed under penalties of perjury has been removed from the form.

61K1-3.001(3)(b)1., the effective date of Form BPR-0009-456, “Proposed Fight Card” will be corrected to read as July 2014.

61K1-3.001(3)(c) incorporates Form BPR-0009-480, “Pro Debut Information Sheet,” effective October 2014. The revision date of the form will be corrected to read as September 2015.

The requirement that the form be signed under penalties of perjury has been removed from the form. The “Note” section of the form listing the requirements for submitting lab results has been removed.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.0007 Forms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40 No. 94, May 14, 2014 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated March 31, 2015. The correction is as follows:

The Notice of Change published on March 24, 2015, Vol. 41/57 for the rule was inadvertently published and no rule amendment are currently proposed.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.007 Participant; License; Conduct and Other Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40 No. 94, May 14, 2014 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in letters dated May 29, 2014 and March 31, 2015. The correction is as follows:

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

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

The SUMMARY OF STATEMET OF ESTIMATED REGULATGORY COSTS AND LEGISLATIVE RATIFICATIONS shall read as:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Commission determined that the rule in question may very well have some adverse impact on entities that will qualify as small business. A SERC has been prepared by the Commission. The Commission has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. In summary, the rule will not adversely impact economic growth, private-sector job creation or employment, or private-sector investments. The rule will not directly or indirectly increase regulatory costs in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The SERC prepared by the Commission staff estimates that the costs to small business will be approximately \$126,433 in one year and \$758, 598 over five years. The Commission estimates that 297 participants licensed with the Florida State Boxing Commission in the State of Florida will be required to comply with the rule. The Commission will not incur any cost for enforcing the proposed rule within its current workload with existing staff. No cost will be incurred by any other state or local government for enforcing the proposed rule. Transactional costs incurred by individuals who are required to comply with the requirements of the proposed rule will be minimal. Participants are required to obtain a dilated eye examination and blood work prior to receiving licensure and in order to maintain their licensure each year. These two examinations are required as part of the pre-match physical, and are the only costs not directed by statutes to the promoter. These examinations must be done each year to maintain licensure, by all 297 licensees. There is a minimal impact on small business.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: 61K1-3.007
 RULE TITLE: Participant; License; Conduct and Other Requirements
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 94, May 14, 2014 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014 and March 31, 2015 and by concerns stated by the Commission at its meeting on December 12, 2014. The changes are as follows:

61K1-3.007 Participant; License; Conduct and Other Requirements

(1) License.

(a) through (b) No change

(c) Any person desiring to become licensed as a participant shall submit Form BPR-0009-450, "Application for License," effective September 2015, DBPR FSBC 2, "Application for Licensure, Participant," effective March 2014, adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp> , or at <https://www.myfloridalicense.com/intentions2.asp>, or at <http://www.flrules.org/Gateway/refernce.asp?No=Ref->.

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

(e) Each participant shall submit to a pre-licensure physical conducted by a licensed M.D. or D.O. Female participants may submit to a pre-licensure physical conducted by a licensed board-certified OB/GYN. The participant and physician shall complete Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," effective March 2014, adopted and incorporated herein, which may be found at <https://www.myfloridalicense.com/intentions2.asp> , or at <http://www.flrules.org/Gateway/refernce.asp?No=Ref-> , and submit to the commission. The results from the pre-licensure

physical examination shall be used by the commission office for licensure and ~~fight bout~~ card approval, and for comparison to pre-match physicals examinations by ringside physicians. The pre-match physical examination may but will not be used in lieu of the pre-licensure physical examination if performed within 30 days of the pre- license physical examination a pre-match physical.

~~(f) Transgender Participants~~

~~(g) Transexuals: Male to Female~~

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

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

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

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

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

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

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

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

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

~~v. Lab reports of estradiol and testosterone levels documenting over the past two years that serum estradiol levels are within the normal range for a healthy premenopausal woman and suppression of testosterone levels~~

to those normally found in women, as determined under lab specific ranges as set forth below;

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

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

(b) Transsexuals: Female to Male.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Pre Fight and day of Fight:

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

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

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

(g)(i) No change

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

(i)(k) No change

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

(a) through (e) No change

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

(g) through (h) No change

(i): Reason to believe that a participant has ingested or used a prohibited substance An indication that the participant

~~is using or is under the influence of as listed in Rule 61K1-3.017, F.A.C. narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics so as to render the participant unable to recognize if the participant is seriously injured;~~

(j) No change.

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

1. through 2. No change.

3. Blindness defined as central visual acuity of ~~20/200~~ 400 or less in the ~~best~~ worst eye ~~with 20/40 or worse in the better eye~~ with the best possible correction, ~~in both eyes and/or a the widest diameter of the visual field of subtends an angular distance of no greater than 20 degrees or less.~~

(l) through (p) No change.

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

1. No change.

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

~~2. 3. A normal MRI of the brain, without contrast.~~

~~3. A physical examination conducted by a licensed physician, either an MD or a DO and a letter stating that this applicant is physically fit to compete.~~

(3) Conduct and Other Requirements: No participant shall engage in a match with less than seven calendar days between matches.

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

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

~~1. The relative importance of the match;~~

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40 No. 94, May 14, 2014 issue of the Florida Administrative Register.

The corrections are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014 and March 31, 2015 and to concerns stated by the Commission at its meeting on March 6, 2015. The corrections are as follows:

The SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION shall read as:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Commission determined that the rule in question may very well have some adverse impact on entities that will qualify as small business. A SERC has been prepared by the Commission. The Commission has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. In summary, the rule will not adversely impact economic growth, private-sector job creation or employment, or private-sector investments. The rule will not directly or indirectly increase regulatory costs in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. The SERC prepared by the Commission staff estimates that the costs to small business will be approximately \$100,000 in one year and ~~\$613,594~~ \$600,000 over five years. The Commission estimates that all licensed participants who are transgender and those individuals over 40 years of age will be required to comply with the rule. The Commission licensed one transgender participant and approximately 50 participants over the age of 40 in FY 12-13 in the State of Florida that will be required to comply with the rule. The Commission will not incur any cost for enforcing the proposed rule within its current workload with existing staff. No cost will be incurred by any other state or local government for enforcing the proposed rule. Transactional costs incurred by individuals who are required to comply with the requirements of the proposed rule will be minimal. The additional costs imposed upon the licensees who bear the primary costs of the rule provide protection by ensuring the health and safety of the participants prior to entering the ring to participate in a pugilistic event. These increases in costs are minimal compared to the

additional security it provides for the safety of the participants. There is a minimal impact on small business. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 94, May 14, 2014 issue of the Florida Administrative Register.

The corrections are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014 and March 31, 2015 and to concerns stated by the Commission at its meeting on March 6, 2015. The changes are as follows:

61K1-3.016(4)(i): ~~Reason to believe Any indication that the participant is using or is under the influence of a prohibited substance contained within Rule 61K1-3.017, F.A.C. narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics as to render the participant unable to recognize if the participant is seriously injured. If the physician finds any indication or evidence that the participant is using, is under the influence of unauthorized drugs or foreign substances such that the physician cannot make a definitive determination and therefore allows the match to proceed, the physician shall immediately advise the commission representative who shall ensure that a urine sample is taken and processed in accordance with Rule 61K1-3.017, F.A.C~~

61K1-3.016(4)(k)3.: Blindness defined as central visual acuity of 20/200 or less in the ~~better~~ worst eye ~~with 20/40 or worse in the better eye~~ with the best possible correction, ~~possible in both eyes and/or a the widest diameter of the visual field of subtends an angular distance of no greater than 20 degrees or less in the better~~

61K1-3.016(8): Form BPR-0009-455, page 4, “Male Genitalia” and “Female Genitalia” have been deleted. Both sections are combined under the new section “Genitalia.”

61K1-3.016(9)(a): (a) Any participant who is suspended and issued Form BPR-0009-478, “Order of Automatic Suspension”, effective October 2012, as adopted in Rule 61K1-3.016, F.A.C., by the executive director, or any similar suspension issued by any other jurisdiction shall not participate until cleared by a physician licensed as an M.D. or D.O. A physician may extend a medical suspension any time he or she believes it to be in the best interest for the safety of a participant. In all cases, the decision by the physician at the pre-match physical to issue or extend a medical suspension is final and not reviewable;

61K1-3.016(10)(b)2.c.: (10) Transgender Participants
 (b) Transsexuals: Female to Male.

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

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

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

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

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

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

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

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

~~c.d. No change.
 i. through iii. No change.~~

- (I) No change
- (II) No change
- (III) No change

61K1-3.016(10)(c)1.: Participants should submit laboratory data required above which has been drawn from the participant no more than 1 year ~~6 months~~ prior to the match date, including one value within one month of the match. Participants shall not be permitted to participate if their estradiol or total testosterone levels are outside of the normal range. If a value is found to be out of the normal range, the participant shall take action to correct the level by repeating the laboratory test and/or adjusting medication appropriately, which must be documented in an additional Form DBPR FSBC 20, "Pre Licensure Physical Sheet" revised September, 2015 effective 2014, adopted and incorporated by reference 61K1-3.007 herein.

61K1-3.016(11): All medical information provided to the commission directly shall not be released to any individual or entity without prior disclosure to the participants and only for the express purpose of determining the ability to participate in a match. Such medical information may be released to ringside physicians or representatives of the commission or the commission office. Participants shall sign Form DBPR FSBC 20, "Pre-Licensure Physical Sheet", as a release to permit the commission to release the medical information to the necessary individuals prior to the match for the express purpose of determining fitness to participate in a match.

61K1-3.016(14): The executive director or his or her designee shall, on medical advice ~~whenever necessary~~, require that a referee undergo a physical examination prior to acting as a referee in any match.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 44, March 5, 2015 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated March 17, 2015. The correction is as follows:

The SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION shall read as:

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

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. 44, March 5, 2015 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in a letter dated March 17, 2015. The changes are as follows:

61K1-3.021 (3) shall read as: Following a program of matches held in Florida, the promoter shall file with the commission as required by Section 548.06, F.S., a written report of gross receipts on Form BPR-0009-453, "Post Event Tax Report for Live Event", effective ~~November 2015~~ ~~January 2010~~, adopted and incorporated herein by reference, which can be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

Form BPR-0009-453, "Post-Event Tax Report For Live Event," will be corrected to include the purpose for requiring the licensee's social security number as required by subparagraph 119.071(5)(a)2., Florida Statutes.

Page 2, last paragraph, line 3, reference to "concessionaire" has been deleted.

Rulemaking Authority shall read as:
Rulemaking Authority 548.003, 548.06 FS.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40 No. 44, March 5, 2014 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated March 17, 2015. The correction is as follows:

The SUMMARY OF STATEMENT OF ESTIMATED REGULAROTY COSTS AND LEGISLATIVE RATIFICATION shall read as:

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 44, March 5, 2014 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in a letter dated March 17, 2015. The changes are as follows:

61K1-3.022 Unprofessional or Unethical Conduct

Unprofessional or unethical conduct, for professional licensees, as described in Section 548.071(4), FS, shall include, ~~but is not limited to:~~

(1) Making misleading, deceptive, untrue, or fraudulent representation related to boxing, kickboxing and mixed martial arts ~~in or related to the practice of the licensee's profession;~~

(2) Misappropriating, misallocating, or mismanaging funds related to boxing, kickboxing and mixed martial arts ~~in relation to the practice of the licensee's profession;~~

(3) Failing to satisfy a civil judgment related to boxing, kickboxing and mixed martial arts to the practice of the licensee's profession or ability to perform.

(4) Delegating or contracting the performance of professional responsibility to a third party who is legally unqualified to do so;

(5) Falsifying or altering records related to boxing, kickboxing and mixed martial arts in the practice of the licensee's profession;

~~(6) Practicing or offering to practice beyond the scope permitted by law or accepting and performing the professional responsibilities the licensee knows, or has reason to know, the licensee is not competent and/or licensed to perform;~~

(7) Illegally discriminating against persons in the practice of a licensee's profession;

~~(6)(8) No change~~

(7)(9) Impersonating another boxing, kickboxing or mixed martial arts licensee licensed practitioner, or permitting another person to use his or her boxing, kickboxing or mixed martial arts license;

~~(10) Providing false or incorrect information regarding the status of a license;~~

~~(8)(11) No change~~

(12) Failing to perform any statutory or legal obligation placed upon a licensee;

~~(13) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to the chapter regulating the profession, or the Rules of the department or the commission;~~

~~(14) Attempting to obtain, obtaining, or renewing a licensee to practice a profession by bribery, or by misrepresentation;~~

~~(15) Violating any rule adopted by the commission.~~

~~(9)(16) No change~~

~~(10)(17) No change~~

~~(11)(18) No change~~

(12)(19) Having a kickboxing, kickboxing or mixed martial arts license or the authority to practice a profession revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. The licensing authority's acceptance of a relinquishment of licensure, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of charges against the license, shall be construed as action against the license;

~~(20) Failing to report a change of address or other legally required information to the Department within thirty (30) days of the date that the address or information was changed,~~

~~(13)(21) No change~~

~~(14)(22) Failing to possess the proper equipment or apparel.~~

~~(15)(23) No change.~~

~~(16)(24) No change.~~

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.071 FS. History— New _____.

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

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
South Florida Water Management District
RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on November 17, 2015, the South Florida Water Management District (District), received a petition for waiver from Palm Beach County Roadway Production Division (Application No. 15-0224-1) for utilization of Works or Lands of the District known as the L-10 for the installation of a pedestrian bridge with park amenities within the right of way located at the Canal Point lock immediately east of US 441/98; Section 33, Township 41 South, Range 37 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) & (6), F.A.C., which prohibit the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268, jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF CHILDREN AND FAMILIES
Agency for Persons with Disabilities

The Agency for Persons with Disabilities hereby gives notice that on October 23, 2015, the Agency for Persons with Disabilities received a petition for a waiver from paragraph 65G-5.004(2)(d), F.A.C., from T.S. (Petitioner). The rule states in part: "Neither the supported living provider nor the immediate family of the supported living provider shall serve as landlord or have any interest in the ownership of the housing unit." Petitioner sought a waiver from paragraph 65G-5.004(2)(b), F.A.C., and indicates that R.S. has been living in the home owned by her provider for more than 20 years, has received intense specialized care while there, and regards the residence as her home. The Agency agrees that strict application of the rule would cause a significant hardship to R.S., and would preclude R.S. from receiving necessary personal support services from the provider she has known all of her life in the familiar environment she considers her home. The waiver shall be effective January 1, 2016, and shall expire on December 31, 2016. As previously established in the initial rule waiver issued on May 29, 2015, the waiver continues to be subject to annual renewal every calendar year starting January 1 pending receipt of a new petition. The order granting the petition was issued on November 19, 2015.

A copy of the Order or additional information may be obtained by contacting: David De La Paz, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399-0950, david.delapaz@apdcares.org.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: December 1, 2015, 9:30 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

DATE AND TIME: December 2, 2015, 9:30 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: December 3, 2015, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: December 9, 2015, 9:00 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: December 10, 2015, 10:00 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee.

DATE AND TIME: December 15, 2015, 9:30 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

DATE AND TIME: December 15, 2015, 10:30 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee.

DATE AND TIME: December 16, 2015, 9:00 a.m.
PLACE: Please call (850)414-3300 for instructions on participation.
GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: December 17, 2015, 2:00 p.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: December 29, 2015, 9:30 a.m.
PLACE: Please call (850)414-3300 for instructions on participation
GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as a workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following Special Board meeting, which is open to the public, and an Executive Session for Tuesday, November 24, 2015. All meetings of the Board will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.

SPECIAL BOARD MEETING:

DATE AND TIME: Tuesday, November 24, 2015, 11:30 a.m. – 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Downtown Immersion Project.

Copies of the agenda for the Special Board meeting will be available for inspection beginning Friday, November 20, 2015, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address an agenda item at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. Any person requesting to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the meeting by contacting District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

EXECUTIVE SESSION:

DATE AND TIME: Tuesday, November 24, 2015, approximately 12:00 Noon

PLACE: Administrative Offices, 501 West State Street, Room 406, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Session and Board discussion regarding pending breach of contract litigation pursuant to Section 286.011(8), Florida Statutes (2015).

ATTENDEES: Names of the attendees will be included within the agenda for the Special Board meeting that will be available for inspection beginning Friday, November 20, 2015.

Pursuant to Section 286.011(8), Florida Statutes (2015), the Executive Session is closed to the public and exempt from the requirements of Section 286.011, Florida Statutes (2015). Documents prepared for the Executive Session pertaining to litigation are confidential and exempt from Section 119.07(1), Florida Statutes (2015) until litigation is concluded.

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

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces public meetings to which all persons are invited.

DATE AND TIMES: December 3, 2015, 9:30 a.m., Personnel, Budget & Finance Policy Committee; 9:30 a.m., Public/Private Regional Resiliency Committee; 10:00 a.m., Full Board of Directors

Please check our website at www.nefrc.org for any changes.

PLACE: University of North Florida, University Center, 12000 Alumni Drive, Jacksonville, FL 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880.

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: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: December 2, 2015, 9:00 a.m.
 PLACE: 7601 Highway 301 North, Tampa, FL 33637
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4702; TDD (FL only), 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Thursday, December 3, 2015, 9:00 a.m.
 PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Joint Agricultural and Green Industry Advisory Committee meeting to discuss committee business. Governing Board Members may attend. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at

1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Dennis.cockrell@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4400 (Ad Order EXE0469).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2015, 5:30 p.m. – 7:00 p.m.

PLACE: Land O’ Lakes Community Center, 5401 Land O’ Lakes Boulevard (U.S. Highway 41), Land O’ Lakes, Florida 34639

GENERAL SUBJECT MATTER TO BE CONSIDERED: An updated draft report on the proposed levels for Crews Lake will be available before the meeting and will replace the draft 2006 report for the lake currently posted on the District’s Minimum Flows and Levels (Environmental Flows) Documents and Reports web page. Comments received during and subsequent to the workshop will be summarized for consideration by the Governing Board. Staff anticipate seeking Board approval for rulemaking concerning the proposed levels at the December 15, 2015 Board meeting.

A copy of the agenda may be obtained by contacting: Doug Leeper, MFLs Program Lead, SWFWMD, 7601 U.S. Highway 301 North, Tampa, FL 33637, (813)985-7481, ext. 4272.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702; 1(800)423-1476 (FL only), ext. 4702, or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Doug Leeper, MFLs Program Lead, SWFWMD, 7601 U.S. Highway 301 North,

Tampa, FL 33637, (813)985-7481, ext. 4272 (OGC# 2015037-1).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, December 15, 2015, 11:00 a.m. until concluded

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8), F.S., to discuss strategy related to litigation expenditures and/or settlement negotiations in SWFWMD v. Parsons Water & Infrastructure, Inc. (13th Judicial Circuit, Case No. 14CA001631). The subject matter shall be confined to the pending litigation. Attendees: Governing Board Members Michael Babb, Randall Maggard, Jeffrey Adams, David Dunbar, H. Paul Senft, Jr., Ed Armstrong, Bryan Beswick, Thomas Bronson, Wendy Griffin, George Mann, Michael Moran, John Henslick and Kelly Rice. Executive Director: Robert Beltran. General Counsel: Karen West. Assistant General Counsel: Mary Beth McNeil. Staff Attorney: Erica Richards. District Outside Legal Counsel: Michael Carey. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: Amissa Smith, (813)985-7481, ext. 4658.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amissa.smith@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4658 (Ad Order EXE0470).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Wednesday, December 9, 2015, 1:00 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Management Committee: Discussion will include the framework for management plans, approval of BMAP Nutrient Management Strategy & Management Actions and other water quality drivers. Final approval of the Crystal River/Kings Bay SWIM Plan.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Chris.zajac@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4413 (Ad Order exe0471).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, December 15, 2015, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this

meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0472).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority
The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2015, 9:30 a.m.

PLACE: Sarasota County Administration Center, Commission Chambers, 1660 Ringling Boulevard, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Linda Stewart, (941)316-1776 or lstewart@regionalwater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. 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: (941)316-1776.

DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 11, 2015, 9:30 a.m., Eastern Time (ET), and continuing from day to day thereafter as may be required

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Evaluation Team to discuss and evaluate the Replies submitted in response to ITN 066-14/15: Lottery Gaming System and Related Commodities & Services; and to develop a schedule for future Evaluation Team meetings and other matters relevant to the above-referenced ITN. The Evaluation Team may make a determination to continue this meeting at a future date and time should it deem necessary to do so.

Note: The Evaluation Team will not meet on Thursday, December 10, 2015, at 1:30 p.m. ET as discussed in the Tuesday, November 17, 2015, meeting.

For more information, please visit the Vendor Bid System (VBS) at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu. A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery's website, www.flalottery.com.

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD), at least 24 hours prior to the meeting.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: December 4, 2015, 10:00 a.m. – 1:00 p.m.

PLACE: 2727 Mahan Drive, Building 2, Conference Room F, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Legal Work Group will meet to review legal policies for health information exchange including provisions of agreements for health information exchange.

A copy of the agenda may be obtained by contacting: Dana Watson, Agency for Health Care Administration, 2727 Mahan

Drive, Bldg. 3, Mail Stop 16, Tallahassee, FL 32308-5403. The agenda will be posted at: <http://www.fhin.net/committeesAndCouncils/lwg.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dana M. Watson, (850)412-3784. 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: Dana M. Watson, (850)412-3784.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

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

DATE AND TIME: Tuesday, December 8, 2015, 9:00 a.m.

PLACE: Agency for Health Care Administration, Medicaid Office Area 6, Medicaid Training Room, Suite 216B, 6800 N. Dale Mabry Highway, Tampa, FL 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Governor's Panel on Excellence in Long-Term Care will be considering applications received for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.197 Medical Foster Care

The Agency for Health Care Administration announces the cancellation of a workshop.

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

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The rule development workshop published in Vol. 41, No. 222, of the Florida Administrative Register on November 16, 2015 is cancelled. The Agency will reschedule at a later date.

For more information, you may contact: Lakera Reddick, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)412-4206, Lakera.Reddick@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2015, 10:00 a.m., ET

PLACE: Telephone conference: call 1(888)670-3525, when prompted enter passcode: 1760507820, then # key

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

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: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday December 7, 2015, 8:30 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Official business of the Appraisal Board - topics include, but are not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, F.A.C. rule amendments, budget discussions, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting Beverly.Ridenauer@myfloridalicense.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 five (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2015, 9:00 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.

DATES AND TIMES: December 14, 2015, 9:00 a.m.; December 15, 2015, 9:00 a.m., continuation of meeting

PLACE: Carr Building Room 170, 3800 Commonwealth Blvd., Tallahassee, FL 32399-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council as well as discuss and vote on the proposed 2015 Florida Greenways and Trails Land Acquisition projects as future components of the Florida Greenways and Trails System. The Council will also consider designation of the following projects as components of the Florida Greenways and Trails System: Lovers Key State Park, Paynes Prairie State Park, and Choctawhatchee River Blueway. The Council will review and approve the draft 2015 Trail Opportunity maps, as modified pursuant to public comments.

A copy of the agenda may be obtained by contacting: Britney Moore, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3800 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Britney.Moore@dep.state.fl.us, (850)245-3069. The agenda and meeting materials will be available and posted at the Office of Greenways and Trails' website (FloridaGreenwaysandTrails.com) 7 days prior to the meetings.

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: Britney Moore, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3800 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Britney.Moore@dep.state.fl.us, (850)245-3069. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

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

DATE AND TIME: December 1, 2015, 10:00 a.m.

PLACE: Department of Health, Tallahassee; telephone conference: 1(888)670-3525, pass code: 9908086106

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Joe Baker, Jr. 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.

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, December 11, 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 Fessehaye 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

Refugee Services

The Tallahassee Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2015, 10:00 a.m. – 11:30 a.m.

PLACE: Early Learning Coalition, 1940 N. Monroe Street, Suite 70, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Tallahassee Area 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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye 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: Theresa Leslie at (850)778-4065 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).

For more information, you may contact: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: December 7, 2015, 10:00 a.m.

PLACE: Jim King Committee Room, 401 Senate Office Building, The Capitol, 404 S. Monroe St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Aetna, Inc. has submitted an application for the proposed acquisition of CarePlus Health Plans, Inc., Humana Health Insurance Company of Florida, Inc., Humana Medical Plan, Inc., and CompBenefits Company, pursuant to Sections 628.461, 628.4615, and 641.255, Florida Statutes. For more details about the proposed transaction, the Office of Insurance Regulation will be activating a web page to provide the public with relevant information. The web page will be available via a link on the Office of Insurance Regulation's homepage at www.floir.com.

Florida law allows the Office of Insurance Regulation to hold a public hearing to allow public comment on the proposed acquisition. Input from the insurer as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at AetnaHearing@floir.com. After the hearing concludes, the record will remain open for 10 days to allow for additional comments.

A copy of the agenda may be obtained by contacting Amy Hardee, (850)413-5162, amy.hardee@floir.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: Amy Hardee, (850)413-5162, amy.hardee@flor.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: Amy Hardee, (850)413-5162, amy.hardee@flor.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: December 8, 2015, 10:00 a.m.

PLACE: Jim King Committee Room, 401 Senate Office Building, The Capitol, 404 S. Monroe St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Anthem, Inc. has submitted an application for the proposed acquisition of HealthSpring of Florida, Inc., Cigna Dental Health of Florida, Inc., and Cigna Healthcare of Florida, Inc., pursuant to Sections 628.461, 628.4615, and 641.255, Florida Statutes. For more details about the proposed transaction, the Office of Insurance Regulation will be activating a web page to provide the public with relevant information. The web page will be available via a link on the Office of Insurance Regulation's homepage at www.flor.com.

Florida law allows the Office of Insurance Regulation to hold a public hearing to allow public comment on the proposed acquisition. Input from the insurer as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at AnthemHearing@flor.com. After the hearing concludes, the record will remain open for 10 days to allow for additional comments.

A copy of the agenda may be obtained by contacting Jennifer Milam at (850)413-4281 or Amy Hardee at (850)413-5162.

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 Amy Hardee, (850)413-5162, amy.hardee@flor.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 Amy Hardee, (850)413-5162, amy.hardee@flor.com.

MONROE COUNTY LOCAL COORDINATING BOARD FOR TRANSPORTATION DISADVANTAGED

The Health Council of South Florida, Monroe County Local Coordinating Board for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 4, 2015, 11:00 a.m.

PLACE: Marathon Government Center, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The quarterly meeting of the Monroe County Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Cristina Tuero, Health Council of South Florida, ctuero@healthcouncil.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cristina Tuero. 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: Cristina Tuero, Health Council of South Florida, ctuero@healthcouncil.org.

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2015, 4:00 p.m. is cancelled.

PLACE: South Florida Community Care Network, LLC, 1643 NW 136th Avenue, Bldg. H, 2nd Floor, Sunrise, Florida 33323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Finance Committee to discuss general matters is cancelled.

For more information, you may contact: F. Philip Blank, Esq., counsel for South Florida Community Care Network, LLC, at philip.blank@gray-robinson.com or (850)577-9090.

FLORIDA INSURANCE GUARANTY ASSOC., INC.

The Florida Insurance Guaranty Association Board announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2015, 10:00 a.m.

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The FIGA Board will meet to discuss the general business of the Association. The agenda will include, but not be limited to: Minutes, Receiver's report, Legal report, Claims report, Financial reports, Operation report and a Finance & Audit Committee report.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (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, (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).

FLORIDA INSURANCE GUARANTY ASSOC., INC.
The Finance & Audit Committee of the Florida Insurance Guaranty Association announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2015, 8:30 a.m.

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Finance & Audit Committee will meet to discuss the general business of the Committee. The agenda will include, but not be limited to: Minutes, 2016 Proposed Budget, 2015 Audit Engagement Letter, Investment report and Charter/Checklist.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (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, (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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by B.LANE LLC d/b/a Heritage Cash Advance on August 27, 2015. The following is a summary of the agency’s disposition of the petition:

Background Summary: B. Lane LLC d/b/a Heritage Cash Advance (HCA) filed a Petition for Declaratory Statement requesting that the Office issue an order addressing its proposed online deferred presentment provider activities regulated pursuant to Chapter 560, Florida Statutes. Resolution: Based on the facts stated in the petition, HCA: (1) is prohibited from charging an additional “convenience fee”; (2) would need a Funds Transmitter license pursuant to Chapter 560, Part II, Florida Statutes, in order to transmit funds via ACH to a customer’s bank account, or to issue electronic checks; and (3) would need a license under Chapter 516, Florida Statutes, in order to offer online consumer

installment loans. Therefore, the Petition is denied in relevant part, and all other portions rejected for lack of information.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

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

SARASOTA COUNTY PUBLIC HOSPITAL BOARD REQUEST FOR STATEMENTS OF QUALIFICATIONS for GENERAL CONTRACTING WORK

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability

reviews and cost control, in addition to phased construction management services for the installation of a new invasive radiology/angiography biplane imaging room within an existing radiology suite located on Sarasota Memorial Hospital’s Main Campus (East Tower/Level One), 1700 S. Tamiami Trail, Sarasota, Fla.

Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of your current/valid Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel who would be used on this project.
7. Past constructon/design experience on a biplane angiography room and associated support functions within an existing hospital radiology department.
8. Construction building experience with AHCA and within the City of Sarasota, FL.
9. Location of the firm’s main office and location of the proposed project team members.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm’s experience with the local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team, construction management experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed to Jim Bugyis, Director of Operation of Plant, (941) 917-1802.

Submissions shall be titled
Statement of Qualifications
for
GENERAL CONTRACTING WORK

The Sarasota Memorial Hospital #3 Biplane Angiographic Room

5. Submittals must be received by the Hospital no later than 1:30 p.m. on Friday, Dec. 4, 2015. Mail statements to the attention of Tom Perigo, Director of Architecture and Construction, 1515 Osprey Ave., Suite A3, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.
8. The selection committee will meet in a public meeting in Sarasota Memorial’s 4th floor conference room 4A&B (next to Window’s Cafeteria), 1700 S. Tamiami Trail, Sarasota, FL 34239, on Friday, Dec. 11, 2015 from 8:00 a.m. to 11:00 a.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS
for PROFESSIONAL ARCHITECTURAL AND
ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the installation of a new invasive radiology/angiography biplane imaging room within an existing radiology suite located on Sarasota Memorial Hospital’s Main Campus (East Tower/Level One), 1700 S. Tamiami Trail, Sarasota, FL.

Services required by qualified firms include architectural design, mechanical, electrical, plumbing, fire protection and structural design and engineering, and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of current/valid Florida Architecture/Engineering licensure and corporate registration certificates.

2. Proof of General and Professional Liability Insurability/Errors and Omissions Insurance.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes.
5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience on a biplane angiography room and associated support functions within an existing hospital radiology department.
7. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
8. Location of the design firm’s main office, and location of the proposed team for this project.
9. An explanation of how the firm intends to respond expeditiously on urgent project matters.
10. Illustrate the project team including resumes for each.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm’s experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team design criteria experience as stated above, ability to quickly respond, and the firm’s proposed project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed to Jim Bugyis, (941)917-1802.

Submissions shall be titled
Statement of Qualifications
for

**PROFESSIONAL ARCHITECTURAL AND
ENGINEERING SERVICES**

The Sarasota Memorial Hospital #3 Biplane Angiographic
Room

1. Submittals must be received by the Hospital no later than 1:30 p.m. on Friday, Dec. 4, 2015. Mail statements to the attention of Tom Perigo, Director of Architecture and Construction, 1515 Osprey Ave., Suite A3, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
2. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could

result in immediate disqualification at the discretion of the Director of Operation of Plant.

3. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.
4. The selection committee will meet in a public meeting in Sarasota Memorial’s 4th Floor conference room 4A&B (next to Window’s Cafeteria), 1700 S. Tamiami Trail, Sarasota, FL 34239, on Friday, Dec. 11, 2015 from 1:00 p.m. to 3:00 p.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**Section XII
Miscellaneous**

**DEPARTMENT OF THE LOTTERY
NOTICE OF PUBLIC AUCTION**

Pursuant to Section 273.055(3)(c), Florida Statutes, a sealed-bid auction of surplus restaurant equipment and other miscellaneous surplus property will be held at the Florida Lottery Building, 250 Marriott Drive, Tallahassee, Florida 32301 on Tuesday, December 1, 2015, from 8:30 a.m. – 1:00 p.m. ET and on Wednesday, December 2, 2015, from 8:30 a.m. – 10:30 a.m. ET.

Items up for bid will only be available for viewing during the days and times established above. No Exceptions!

All bids must be submitted before 11:00 a.m., ET on Wednesday, December 2, 2015.

Bids will be opened Wednesday, December 2, 2015, at 2:30 p.m. ET. Bid tabulation and awards will immediately follow the opening.

Payment must be made by cash or certified funds by 5:00 p.m. ET on December 2, 2015.

For additional information, terms, and conditions, please contact Alexis Johnson, at SupportServices2@flalottery.com The Florida Lottery reserves the right to accept or reject any or all bids in the best interest of the State of Florida.

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

EXEMPTION

The Agency for Health Care Administration approved the following exemption on November 19, 2015 pursuant to Section 408.036(3), Florida Statutes:

ID #E150039 District: 9 (Palm Beach County)

Facility/Project: Palms West Hospital

Applicant: Palms West Hospital Ltd. Partnership

Project Description: Establish a 15-bed Level II NICU

Proposed Project Cost: \$40,000,000

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

Notice of Emergency Action

On November 19, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Marlon L. Moritz, D.C., License #: CH10898. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage Therapy

Notice of Emergency Action

On November 19, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Gesler Garcia, L.M.T., License #: MA 76018. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII

**Index to Rules Filed During Preceding
Week**

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