

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NOS.: RULE TITLES:

64D-3.029 Diseases or Conditions to be Reported

64D-3.033 Notification by Others

PURPOSE AND EFFECT: The purpose and effect is to update the list of reportable diseases and conditions, to adjust the timeframe for reporting cases of reportable diseases or conditions, as well as cases of the Zika virus as provided in Emergency Rule 64DER16-1, and to reduce and clarify rule language.

SUMMARY: These rule amendments update the list of and requirements for reporting cases of reportable diseases or conditions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 381.0011(2), 381.003(2), 381.0031(8), 384.33, 392.53(2), 392.66 FS.

LAW IMPLEMENTED: 381.0011(3), (4), 381.003(1), 381.0031(2),(3), (4), (5), (6), (8), 383.06, 384.25, 385.202, 392.53 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: Janet Hamilton, Bureau of Epidemiology, Florida Department of Health, Bin A12, 4052 Bald Cypress Way, Tallahassee, FL 32399-1720; (850) 245-4401; Janet.Hamilton@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.029 Diseases or Conditions to be Reported.

(1) Diseases or conditions listed in subsection (3) below are identified by the Department as being of public health significance. These diseases or conditions must be reported by the practitioner, hospital, laboratory, or other individuals via telephone (with subsequent written report within 72 hours, see Rules 64D-3.030-.033, F.A.C.), facsimile, electronic data transfer, or other confidential means to the Department, which includes the County Health Departments. Reporters are not prohibited from reporting diseases or conditions not listed by rule. Reports should include all associated testing results performed (e.g. serogroup, serotype, and antimicrobial susceptibility results). Physicians and other healthcare providers using point of care tests for diagnosis of infectious diseases must report test results to the Department when they are indicative of an infectious disease reportable directly to the Department by laboratories unless such point of care testing is subject to routine reflex testing by a supplementary or confirmatory testing the results of which would be reportable.

(2) Definitions to be used with subsection (3) below:

(a) *“Reportable Diseases or Conditions”* – The definitions of “suspected case” and “confirmed case” for reportable diseases or conditions are set forth in “Surveillance Case Definitions for Select Reportable Diseases in Florida,” January 2016 version 1.1 2014, incorporated by reference, available online at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-04150>.

(b) through (e) No change.

(3) *“Table of Reportable Diseases or Conditions to Be Reported”*:-

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Immediately	Next Business Day
Any case, cluster of cases, outbreak, or exposure to an infectious or non-infectious disease, condition, or agent found in the general community or any defined setting such as a hospital, school or other institution, not listed in this rule that is of urgent public health significance. This includes human cases, clusters, or outbreaks spread person-to-person, by animals or vectors or from an environmental, food or waterborne source of exposure; those that result from a deliberate act of terrorism; and unexplained deaths possibly due to unidentified infectious or chemical causes.	X	X		Detection in one or more specimens of etiological agents of a disease or condition not listed in this Rule that is of urgent public health significance. This includes the identification of etiological agents that are suspected to be the cause of clusters, or outbreaks spread person-to-person, by animals or vectors or from an environmental, food, or waterborne source of exposure; those that result from a deliberate act of terrorism; and unexplained deaths due to unidentified infectious or chemical causes.				

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Immediately	Next Business Day
Acquired Immune Deficiency Syndrome (AIDS)			2 weeks	Acquired Immune Deficiency Syndrome (AIDS)				Laboratory Reporting Not Applicable
Amebic Encephalitis		X		<i>Naegleria fowleri</i> , <i>Balamuthia mandrillaris</i> , or <i>Acanthamoeba</i> species			X	
Anthrax	X	X		<i>Bacillus anthracis</i>	X	X	X	
Antimicrobial resistance surveillance			Practitioner Reporting Not Applicable	Antimicrobial resistance surveillance (for organisms not otherwise listed in this table), <i>Acinetobacter baumannii</i> , <i>Citrobacter</i> species, <i>Enterococcus</i> species, <i>Enterobacter</i> species, <i>Escherichia coli</i> species, <i>Klebsiella</i> species, <i>Pseudomonas aeruginosa</i> , <i>Serratia</i> species, isolated from a normally sterile site *3				X
Arsenic Poisoning *4a			X	Laboratory results as				X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Immediately	Next Business Day
				specified in the surveillance case definition *4a				
Arboviral infections, not otherwise listed in this table (disease due to) *5	X		X	Including but not limited to: Flaviviridae, Togaviridae (e.g. <u>chikungunya</u> , Western equine encephalitis), Bunyaviridae (e.g. <u>Heartland</u> , <u>Rift Valley Fever</u>) *5	X	X	X	
<u>Babesiosis</u>			X	<u>Babesia spp.</u>	X			X
Botulism, foodborne, other (includes wound and unspecified)	X	X		<u>Clostridium botulinum</u> or botulinum toxin	X	X	X	
Botulism, infant			X	<u>Clostridium botulinum</u> or botulinum toxin	X			X
Brucellosis	X	X		<u>Brucella</u> species	X	X	X	
California serogroup viruses (disease due to)			X	California serogroup viruses such as Jamestown Canyon, Keystone, and Lacrosse	X			X
Campylobacteriosis *4b			X	<u>Campylobacter</u> species *4b				X
Cancer (except non-melanoma skin cancer, and including benign and borderline				6 mMonths				6 mMonths

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Immediately	Next Business Day
intracranial and CNS tumors) *65				melanoma skin cancer and including benign and borderline intracranial and CNS tumors)				
Carbon monoxide poisoning			X	A volume fraction \geq 0.09 (9%) of carboxyhemoglobin in blood				X
CD-4 absolute count and percentage of total lymphocytes				Practitioner Reporting Not Applicable				3 days
Chancroid			X	<u>Haemophilus ducreyi</u>				X
Chlamydia *87			X	<u>Chlamydia trachomatis</u>				X
Cholera	X	X		<u>Vibrio cholerae</u>	X	X	X	
Ciguatera fish poisoning			X	Ciguatera fish poisoning				Laboratory Reporting Not Applicable
Congenital anomalies *98				6 mMonths				Congenital anomalies
Conjunctivitis in neonates < 14 days old			X	Laboratory tests as specified in Rule 64D-3.035				Laboratory Reporting Not Applicable
Creutzfeldt-Jakob disease (CJD) *109			X	14-3-3 or tau protein detection in CSF or immunohistochemical test or any brain pathology				X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation, *1	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other			Suspect Immediately	Next Business Day	Other
				suggestive of CJD *109				
Cryptosporidiosis *4b		X		<i>Cryptosporidium</i> species *4b			X	
Cyclosporiasis		X		<i>Cyclospora cayetanensis</i>	X		X	
Dengue *5	X	X		Dengue virus *5	X	X	X	
Diphtheria	X	X		<i>Corynebacterium diphtheriae</i>	X	X	X	
Eastern equine encephalitis			X	Eastern equine encephalitis virus	X		X	
Ehrlichiosis/Anaplasmosis			X	<i>Anaplasma</i> species or <i>Ehrlichia</i> species	X		X	
<i>Escherichia coli</i> Shiga toxin-producing (disease due to) *4b			X	<i>Escherichia coli</i> Shiga toxin-producing *4b	X		X	
Giardiasis (acute) *4b			X	<i>Giardia</i> species *4b			X	
Glanders	X	X		<i>Burkholderia mallei</i>	X	X	X	
Gonorrhea *87			X	<i>Neisseria gonorrhoeae</i>			X	
Granuloma inguinale			X	<i>Calymmatobacterium granulomatis</i>			X	
<i>Haemophilus influenzae</i> , meningitis and invasive disease, in children < 5 years old	X	X		<i>Haemophilus influenzae</i> , all ages, isolated from a normally sterile site *1140	X	X	X	
Hansen disease (Leprosy)			X	<i>Mycobacterium leprae</i>			X	
Hantavirus		X		<i>Hantavirus</i>	X	X		

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation, *1	Timeframes		
	Suspect Immediately	Next Business Day	Other			Suspect Immediately	Next Business Day	Other
infection								
Hemolytic uremic syndrome		X		Not Applicable				
Hepatitis A*4b, 1244		X					X	
Hepatitis B, C, D, E and G.*1244			X				X	
Hepatitis B surface antigen (HBsAg)-positive in a pregnant woman or a child up to 24 months old			X				X	
Herpes B virus, possible exposure		X					Laboratory Reporting Not Applicable	
Herpes simplex virus (HSV) in infants up to 60 days old with disseminated infection with involvement of liver, encephalitis and infections limited to skin, eyes and mouth *1342			X				X	
HSV – anogenital in children < 12 years of age *87, 1342			X				X	
Human immunodeficiency virus (HIV) infection			2 weeks					3 days

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other			Suspect Immediately	Next Business Day Immediately	Other
				tests, (e.g. Western Blot, IFA): Positive result on any HIV virologic test (e.g. p24 AG, Nucleic Acid Test (NAT/NAAT) or viral culture). All viral load (detectable and undetectable) test results.*1413, 1514				
Human immunodeficiency virus (HIV) Exposed Newborn – infant < 18 months of age born to a HIV infected woman		X		All HIV test results (e.g., positive or negative immunoassay, positive or negative virologic tests) for those < 18 months of age				3 days
Human papillomavirus (HPV) associated laryngeal papillomas or recurrent respiratory papillomatosis in children < 6 years of age *87		X		HPV DNA				X
Human papillomavirus (HPV) – anogenital papillomas in		X		HPV DNA				X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other			Suspect Immediately	Next Business Day Immediately	Other
children ≤ 12 years of age *87								
Human papillomavirus (HPV)			Practitioner Reporting Not Applicable	HPV DNA *3				X
Influenza due to novel or pandemic strains	X	X		Isolation of influenza virus from humans of a novel or pandemic strain	X	X	X	
Influenza-associated pediatric mortality in persons aged < 18 years		X		Influenza virus – associated pediatric mortality in persons aged < 18 years (if known)	X		X	
Influenza			Practitioner Reporting Not Applicable	Influenza virus, all test results (positive and negative) *3				X
Lead poisoning *4, 1615			X	All blood lead test results (positive and negative) *3, 4, 1615				X
Legionellosis		X		<i>Legionella</i> species				X
Leptospirosis		X		<i>Leptospira</i> species <i>interrogans</i>				X
Listeriosis	X			<i>Listeria monocytogenes</i>	X		X	
Lyme disease		X		<i>Borrelia burgdorferi</i>				X
Lymphogranuloma Venereum (LGV)		X		<i>Chlamydia trachomatis</i>				X
Malaria		X		<i>Plasmodium</i>	X			X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation, *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Next Business Day	Other
Measles (Rubeola)	X	X		Measles virus *16	X	X	X	
Melioidosis	X	X		<i>Burkholderia pseudomallei</i>	X	X	X	
Meningitis, bacterial or mycotic			X	Isolation or demonstration of any bacterial or fungal species in cerebrospinal fluid				X
Meningococcal disease	X	X		<i>Neisseria meningitidis</i>	X		X	
Mercury poisoning *4a			X	Laboratory results as specified in the surveillance case definition *4a				X
Mumps			X	Mumps virus				X
Neonatal Abstinence Syndrome *1847			6 months	Neonatal Abstinence Syndrome	Laboratory Reporting Not Applicable			
Neurotoxic shellfish poisoning		X		Laboratory results as specified in the surveillance case definition *4a			X	
Pertussis		X		<i>Bordetella pertussis</i>			X	
Pesticide-related illness and injury *4			X	Laboratory results as specified in the surveillance case definition *4				X
Plague	X	X		<i>Yersinia</i>	X	X	X	

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation, *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Suspect Immediately	Next Business Day	Other
Poliomyelitis	X	X		<i>poliovirus</i>	X	X	X	
Psittacosis (Ornithosis)			X	<i>Chlamydia psittaci</i>	X			X
Q Fever			X	<i>Coxiella burnetii</i>	X			X
Rabies, animal or human		X		Rabies virus		X	X	
Rabies, possible exposure *1948	X	X		Rabies, possible exposure	Laboratory Reporting Not Applicable			
Respiratory syncytial virus	Practitioner Reporting Not Applicable			Respiratory syncytial virus, all test results (positive and negative) *3				X
Ricin toxicity	X	X		Ricinine (from <i>Ricinus communis</i> castor beans)	X	X	X	
Rocky Mountain spotted fever and other Spotted Fever Rickettsioses			X	<i>Rickettsia rickettsii</i> and other Spotted Fever <i>Rickettsia</i> species	X			X
Rubella, including congenital	X	X		Rubella virus *1746	X	X	X	
St. Louis encephalitis (SLE)			X	St. Louis encephalitis virus	X			X
Salmonellosis *4b			X	<i>Salmonella</i> species *4b	X			X
Saxitoxin poisoning including Paralytic shellfish poisoning (PSP)			X	Saxitoxin				X
Severe acute respiratory disease	X	X		Coronavirus associated with severe	X	X	X	

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other			Suspect Immediately	Next Business Day Immediately	Other
syndrome-associated with a Coronavirus infection				acute respiratory disease				
Shigellosis *4b		X		<i>Shigella</i> species *4b			X	
Smallpox	X	X		Variola virus (orthopox virus)	X	X	X	
<i>Staphylococcus aureus</i> isolated from a normally sterile site	Practitioner Reporting Not Applicable			<i>Staphylococcus aureus</i> isolated from a normally sterile site *3			X	
<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA)		X		<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA); Laboratory results as specified in the surveillance case definition *4	X		X	
Staphylococcus enterotoxin B	X			Staphylococcus enterotoxin B	X		X	
<i>Streptococcus pneumoniae</i> , invasive disease in children < 6 years, drug sensitive and resistant			X	<i>Streptococcus pneumoniae</i> , all ages, isolated from a normally sterile site *2049				X
Syphilis		X		<i>Treponema pallidum</i>			X	
Syphilis in pregnant women	X			<i>Treponema pallidum</i>		X		

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other			Suspect Immediately	Next Business Day Immediately	Other
and neonates								
Tetanus		X		<i>Clostridium tetani</i>				X
Trichinellosis (Trichinosis)		X		<i>Trichinella spiralis</i>				X
Tuberculosis (TB) *2120			X	<i>Mycobacterium tuberculosis</i> complex *2120	X			X
Tularemia	X	X		<i>Francisella tularensis</i>	X	X	X	
Typhoid fever and paratyphoid fever *4b		X		<i>Salmonella enterica</i> serotype Typhi and <i>Salmonella enterica</i> serotypes Paratyphi A, Paratyphi B, and Paratyphi C species*4b	X			X
Typhus fever (epidemic)	X	X		<i>Rickettsia prowazekii</i>	X	X	X	
Vaccinia disease	X	X		Vaccinia virus	X	X	X	
Varicella (Chickenpox) *2224			X	Varicella virus				X
Varicella mortality			X	Varicella virus				X
Venezuelan equine encephalitis	X	X		Venezuelan equine encephalitis virus	X	X	X	
Vibriosis (infections by <i>Vibrio</i> species and closely related organisms, other than Cholera)			X	All non-cholera <i>Vibrio</i> species <i>Photobacterium damsela</i> , (formerly <i>V. damsela</i>);	X			X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Submit isolates or specimens for confirmation *1	Timeframes		
	Suspect Immediately	Immediately	Next Business Day			Other	Suspect Immediately	Immediately
				<i>Grimontia hollisae</i> (formerly <i>V. hollisae</i>)				
Viral hemorrhagic fevers	X	X		Ebola, Marburg, Lassa, Machupo Lujo, new world Arena, or Congo-Crimean hemorrhagic fever viruses	X	X	X	
West Nile virus (disease due to)			X	West Nile virus	X		X	
Yellow fever	X	X		Yellow fever virus	X		X	
Zika fever *5	X			Zika fever virus *5	X	X		

*1 Submission of isolates or specimens for confirmation to the Florida Department of Health, Bureau of Public Health Laboratories:

a. Each laboratory that obtains a human isolate or a specimen from a patient shall send isolates or specimens (such as sera, slides or diagnostic preparations) for confirmation or additional characterization of the organism.

b. Hospitals, practitioners and laboratories submitting specimens for reportable laboratory tests, pursuant to subsection 64D-3.031(3), F.A.C., are required to supply the laboratories with sufficient information to comply with the provisions of this section.

c. For the address of the closest Florida Department of Health laboratory location, contact 1-866-352-5227.

d. Laboratories shall submit isolates or specimens for confirmation or additional characterization of the organism for any reportable disease listed in the *Table of Reportable*

Diseases or Conditions to be Reported in this Rule as requested by the Department.

e. Laboratories are not prohibited from submitting isolates or specimens from a patient for a disease or condition that is not designated in the *Table of Reportable Diseases or Conditions to be Reported* in this rule.

f. Submission should occur within two weeks from the time the isolate or specimen is received by the laboratory, unless otherwise noted by the Department.

*2 through *3 no change.

*4 a. Surveillance Case Definitions for Select Reportable Diseases in Florida, ~~2016~~2014.

b. Reports should include occupational information (e.g. employer name, address, phone number).

*5 Report on suspicion of infection. Reports should occur without delay on initial suspicion but reports do not need to be made after-hours. Reports on initial suspicion are to allow for disease control measures to be immediately implemented (such as notification of mosquito control) in order to prevent local transmission.

*5 through 12 renumbered *6 through *13 No change.

*~~14~~3 Special requirements for STARHS (Serologic Testing Algorithm for Recent HIV Seroconversion):

a. Laboratories ~~Each laboratory~~ that report reports confirmed positive HIV tests test in persons ≥ 13 years of age ~~and older~~ old must also report STARHS results ~~result~~.

b. In lieu of producing this test result, each laboratory that reports a confirmed positive HIV test must submit a sample for additional testing using STARHS ~~testing~~. The laboratory is permitted to send the remaining blood specimen or an aliquot of at least 0.5 ml to the Bureau of Public Health Laboratories, 1217 Pearl Street, Jacksonville, Florida 32202-3926 or 1325 NW 14th Avenue, Miami, Florida 33125.

c. Laboratories electing to send a blood specimen will contact the Incidence and Molecular Resistance ~~Resistanc~~ Coordinator, HIV/AIDS and ~~Hepatitis~~ Section, Florida Department of Health, at (850) 245-4430 to receive specimen maintenance and shipping instructions.

d. Nationally based laboratories with an existing contract to ship specimens directly to a STARHS laboratory designated by the Centers for Disease Control and Prevention will not be required to send a specimen to the Department.

*~~15~~14 If Laboratories shall submit a genotype for each confirmed positive HIV specimen on a is performed, the fasta file files containing the nucleotide sequence data, including the protease and reverse transcriptase regions ~~must be reported~~.

*~~16~~15 – Special reporting requirements for reporting blood lead tests:

a. All blood lead tests are considered evidence of a suspected case and are to be reported electronically. This reporting requirement pertains to: 1) laboratories and, 2) practitioners that conduct on-site blood lead analysis (i.e., practitioners that use portable lead care analyzers or other devices to perform blood lead analysis).

b. Results produced by on-site blood lead analysis devices (i.e., portable lead care analyzers or other portable ~~devices~~ ~~deveices~~ used to perform blood lead analysis) less than 10 µg/dL must be reported within 10 business days. Electronic reporting of results is preferred.

* 16 through *21 renumbered *17 through *22 No change.

Rulemaking Authority 381.0011(2), 381.003(2), 381.0031(8), 384.33, 392.53(2), 392.66 FS. Law Implemented 381.0011(3), (4), 381.003(1), 381.0031(2), (4), (5), (6), (8), 383.06, 384.25, 385.202, 392.53 FS. History—New 11-20-06, Amended 11-24-08, 6-4-14,_____.

64D-3.033 Notification by Others.

(1) through (3) No change.

(4) Reports shall include as much of the following as is available to the reporter:

(a) The animal's: name; species; breed; sex; color; age; rabies vaccination status; date of onset of signs; signs; and ownership status (owned/feral/wild); location of the animal sighting(s) even if no person was exposed.

1. Name;
2. Species;
3. Breed;
4. Sex;
5. Color;
6. Age;
7. Rabies vaccination status;
8. Date of onset of signs;
9. Signs;
10. Ownership status (Owned/feral/wild).

(b) If the animal is owned, the animal owner's: first, middle and last name; address, including street, street number, city, state and zip code; and telephone numbers (work, home and/or cell), including area code.

1. ~~First and last name, including middle initial;~~
2. ~~Address, including street, city, state and zip code;~~
3. ~~Telephone number, including area code.~~

(c) Where relevant, the exposed person's: first, middle and last name; address including street, street number, city state and zip code; telephone numbers (work, home and/or cell), including area code; age; sex; date of exposure; the geographic location where the exposure occurred or location of the animal sighting(s); date of onset of symptoms; name, address and telephone numbers, including the area code of the reporter; and any other epidemiological information requested by the Department.

1. ~~First and last name, including middle initial;~~
2. ~~Address, including street, city, state and zip code;~~
3. ~~Telephone number, including area code;~~
4. ~~Age;~~
5. ~~Sex;~~
6. ~~Date of exposure;~~
7. ~~The geographic location where the exposure occurred or location of the animal sighting if no person was exposed;~~
8. ~~Date of onset of symptoms;~~
9. ~~Name, address and telephone number, including the area code of the reporter; and~~
10. ~~Any other epidemiological information requested by the Department.~~

(d) Reports from an Animal Disease Laboratory shall include: the submitting veterinarian's first, middle and last name; address, including street, street number, city, state and zip code; telephone numbers (work, home and/or cell), including area code; type of diagnostic tests (for example culture, IgM, serology, Western Blot or culture); type(s) of specimen (for example feces, urine, blood, mucus, etc.); date(s) of specimen collection; site (for example cloaca, eye, etc., if applicable); diagnostic test results, including titer when quantitative procedures are performed, and including all available results on grouping or typing of organisms.

1. The submitting veterinarian's;
 - a. ~~First and last name, including middle initial;~~
 - b. ~~Address, including street, city, state and zip code;~~
 - e. ~~Telephone number, including area code.~~
2. ~~Type of diagnostic tests (for example culture, IgM, serology, Western Blot or culture);~~
3. ~~Type of specimen (for example feces, urine, blood, mucus, etc.);~~
4. ~~Date of specimen collection;~~
5. ~~Site (for example cloaca, eye, etc., if applicable);~~
6. ~~Diagnostic test results, including titer when quantitative procedures are performed, and including all available results on grouping or typing of organisms.~~

Rulemaking Authority 381.0011(2), 381.0031(8) FS. Law Implemented 381.0031(3), (4), (8) FS. History—New 11-20-06, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet Hamilton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 2, 2016

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NOS.:	RULE TITLES:
11C-6.004	Procedures for Requesting Criminal History Records
11C-6.009	Sale and Delivery of Firearms
11C-6.010	Retention of Applicant Fingerprints

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 110, June 7, 2016 issue of the Florida Administrative Register.

The correction in the Notice of Proposed Rulemaking is as follows:

In the Law Implemented section, the citation 432.12 is corrected to specify 435.12;

The corrected date for when the Agency Head approved rulemaking is March 2, 2016.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bureau Chief Timothy Giesecke at (850)410-8113, or timothygiesecke@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

DEPARTMENT OF LAW ENFORCEMENT

Division of Local Law Enforcement Assistance

RULE NO.:	RULE TITLE:
11D-8.0035	Approval of Alcohol Reference Solution and Sources

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 110, June 7, 2016 issue of the Florida Administrative Register.

The correction is as follows:

In the Notice of Proposed Rulemaking, the corrected date for when the Notice of Rule Development was published is December 29, 2015.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brett Kirkland, The Alcohol Testing Program at (850)617-1290, or alcoholtestingprogram@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, Alcohol Testing Program, 2331 Phillips Road, Tallahassee, Florida 32308

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NOS.:	RULE TITLES:
60A-7.001	Definitions
60A-7.002	Issuance of Commodity Numbers
60A-7.003	Listings for Term Contracts
60A-7.004	Test, Review, and Evaluation of Corporation Products
60A-7.005	Required Purchase of Corporation Products; Exceptions
60A-7.006	Disputes

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 97, May 18, 2016 issue of the Florida Administrative Register.

The following language is added to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification:

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: Repeal of this rule will have no economic impact.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO:	RULE TITLE:
64B13-3.015	Performance of Delegated Tasks by Non-Licensed Personnel

NOTICE OF CORRECTION

Notice is hereby given that in accordance with subparagraph 120.54(3)(d)1, FS, the following correction has been made to the Notice of Proposed Rulemaking published in Vol. 42, No. 77, of the April 20, 2016, and the Notice of Change published in Vol. 42, No. 121, of the June 22, 2016, issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 1, 2016. The correction is as follows:

64B13-3.015 Performance of Delegated Tasks by Non-Licensed Personnel

(1) Non-licensed personnel, who need not be employees of the licensed practitioner, may perform ministerial duties, tasks and functions assigned to them by and performed under the general supervision of a licensed practitioner, including obtaining information from patients for the purpose of making appointments for the licensed practitioner. Tasks and functions that may be performed shall include, but not be limited to, delivery of eyeglasses, selection of frames, adjustment of frames, and instruction for the insertion, removal and care of contact lenses. However, to ensure patient confidentiality of

examination records in accordance with Section 456.057(5), Florida Statutes, a non-employee shall not be allowed to perform any task or function which would require or give them access to patient records or examination reports of any person without prior written authorization of that patient.

The person to be contacted regarding the above change is: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.0025	Miscellaneous Criteria
67-21.026	HC Credit Underwriting Procedures
	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. 42 No. 125, June 28, 2016 issue of the Florida Administrative Register.

67-21.0025 Miscellaneous Criteria.

(1) In addition to the alteration, improvement or modification of an existing structure, Rehabilitation or Preservation with respect to the Housing Credit Program also includes what is stated in Section 42(e) of the IRC, except that with the exception of Section 42(e)(3)(A)(ii)(II), which, for the purposes of Non-Competitive HC, the following is substituted for Section 42(e)(3)(A)(ii)(II) is changed to read: "II. The requirement of this subclause is met if the qualified basis attributable to such amount, when divided by the number of low-income units in the building, is \$15,000 or more."

(2) through (6) No change.

67-21.026 HC Credit Underwriting Procedures.

Credit Underwriting is a de novo review of all information supplied, received or discovered during or after any application scoring process, prior to the closing on funding, including the issuance of IRS Forms 8609 for Housing Credits. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development team's experience, past performance or financial capacity is satisfactory. The Credit Underwriting review shall include a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and the Development team to proceed, the evidence of need for affordable housing in order to determine that the Development meets the program requirements and determine a recommended Housing Credit Allocation amount, if any; and for any Development that has rehabilitation with or without acquisition, a capital needs

assessment prepared in accordance with generally accepted industry investment grade standards shall be ordered by the Credit Underwriter, and its findings shall be used to determine rehabilitation that will be carried out and to set replacement reserves. Corporation funding will be based on appraisals of comparable developments, cost benefit analysis, and other documents evidencing justification of costs. As part of the Credit Underwriting review, the Credit Underwriter will consider the applicable provisions of this rule chapter.

(1) through (10) No change.

(11) In addition to operating expenses, the Credit Underwriter must include an estimate for replacement reserves and operating expense reserves deemed appropriate by the Credit Underwriter when calculating the final net operating income available to service the debt. A minimum amount of \$300 per unit per annum must be used for all Developments.

(a) No change.

(b) The amount established as a replacement reserve shall be adjusted based on a CNA prepared by an independent third party, ordered by a first mortgage lender, third party credit enhancer or a Housing Credit Syndicator, ~~and which has been prepared in accordance with generally accepted industry investment grade standards,~~ received by the Corporation or its servicers, and acceptable to the Corporation and its servicers at the time the CNA is required, beginning no later than the 10th year after the first residential building in the development receives a certificate of occupancy, a temporary certificate of occupancy, or is placed in service, whichever is earlier ('Initial Replacement Reserve Date'). A subsequent CNA, meeting the parameters of this section, is required no later than the 15th year after the Initial Replacement Reserve Date and subsequently every five (5) years thereafter. If the Applicant does not provide a copy of a CNA to the Corporation or its servicers, prepared by an independent third party and acceptable to the Corporation and its servicers within the stated time frames, then one shall be ordered by the Corporation or its servicers at the Applicant's expense. The only events allowed to drop the balance below the minimum are items related to life safety, structural and systems as approved by the Corporation and its servicers. In the event the first mortgage lender or a Housing Credit Syndicator requires replacement reserves with replacement reserve deposit requirements that include the same or higher deposits, the Corporation's rights to hold replacement reserves and to disburse such funds shall be subject to the first mortgage lender or the Housing Credit Syndicator, as applicable. The replacement reserve funds are not to be used by the Applicant for normal maintenance and repairs, but shall be used for structural building repairs, major building systems replacements and other items included on the Eligible Reserve for Replacement Items list, effective October 15, 2010, which

is incorporated by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non-Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02851>.

An Applicant may choose to fund a portion of the replacement reserves at closing. Unless approved by the Corporation and the Credit Underwriter, the amount cannot exceed 50 percent of the required replacement reserves for two (2) years and must be placed in escrow at closing.

(12) through (19) No change.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.019	Eligible and Ineligible HOME Development Costs

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. 42 No. 125, June 28, 2016 issue of the Florida Administrative Register.

Rule 67-48.0072 Credit Underwriting and Loan Procedures.

Credit underwriting is a de novo review of all information supplied, received or discovered during or after any competitive solicitation scoring and funding preference process, prior to the closing on funding, including the issuance of IRS Forms 8609 for Housing Credits. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development team’s experience, past performance or financial capacity is satisfactory. The credit underwriting review shall include a comprehensive analysis of the Applicant, the real estate, the economics of the Development, the ability of the Applicant and the Development team to proceed, the evidence of need for affordable housing in order to determine that the Development meets the program requirements and determine a recommended SAIL, EHCL, or HOME loan amount, Housing Credit allocation amount or a combined SAIL or HOME loan amount and Housing Credit Allocation amount, if any; and for any Development that has rehabilitation with or without acquisition, a capital needs assessment prepared in accordance with generally accepted industry investment grade standards shall be ordered by the Credit Underwriter, and its findings shall be used to determine rehabilitation that will be carried out, including applicable energy, green, universal design and visitability features, and to set replacement reserves. Corporation funding will be based on appraisals of comparable developments, cost benefit analysis, and other

documents evidencing justification of costs. As part of the credit underwriting review, the Credit Underwriter will consider the applicable provisions of Rule Chapter 67-48, F.A.C.

(1) through (11) No change.

(12) For Competitive HC, SAIL, and HOME, the Corporation’s assigned Credit Underwriter shall require a guaranteed maximum price construction contract, ~~acceptable to the Corporation~~, which may include change orders for changes in cost or changes in the scope of work, or both, if all parties agree, and shall order, at the Applicant’s sole expense, and review a pre-construction analysis for all new construction units and a physical needs assessment for rehabilitation units and review the Development’s costs. If an EHCL Development has a General Contractor, the preceding requirement will also apply to the EHCL Development.

(13) For Competitive HC, SAIL, and HOME, in addition to operating expenses, the Credit Underwriter must include an estimate for replacement reserves and operating expense reserves deemed appropriate by the Credit Underwriter when calculating the final net operating income available to service the debt. A minimum amount of \$300 per unit per annum must be used for all Developments.

(a) No change.

(b) The amount established as a replacement reserve shall be adjusted based on a CNA prepared by an independent third party, ordered by a first mortgage lender, third party credit enhancer or a Housing Credit Syndicator ~~and which has been prepared in accordance with generally accepted industry investment grade standards~~, received by the Corporation or its servicers, and acceptable to the Corporation and its servicers at the time the CNA is required, beginning no later than the 10th year after the first residential building in the Development receives a certificate of occupancy, a temporary certificate of occupancy, or is placed in service, whichever is earlier (‘Initial Replacement Reserve Date’). A subsequent CNA, meeting the parameters of this section, is required no later than the 15th year after the Initial Replacement Reserve Date and subsequently every five (5) years thereafter. If the Applicant does not provide a copy of a CNA to the Corporation or its servicers, prepared by an independent third party and acceptable to the Corporation and its servicers within the stated time frames, then one shall be ordered by the Corporation or its servicers at the Applicant’s expense. The only events allowed to drop the balance below the minimum are items related to life safety, structural and systems as approved by the Corporation and its servicers. In the event the first mortgage lender or a Housing Credit Syndicator requires replacement reserves with replacement reserve deposit requirements that include the same or higher deposits, the Corporation’s rights to hold replacement reserves and to

disburse such funds shall be subject to the first mortgage lender or the Housing Credit Syndicator, as applicable. The replacement reserve funds are not to be used by the Applicant for normal maintenance and repairs, but shall be used for structural building repairs, major building systems replacements and other eligible items as identified in a competitive solicitation. An Applicant may choose to fund a portion of the replacement reserves at closing. Unless approved by the Corporation and the Credit Underwriter, the amount cannot exceed 50 percent of the required replacement reserves for two (2) years and must be placed in escrow at closing.

(14) No change.

(15) For SAIL and HOME, ~~at a minimum~~, the general partner(s) (individual and entity) or manager(s)/managing member(s) (individual and entity), as applicable, of the Applicant shall provide a guarantee for completion of construction. In addition, one or more entities or individuals (other than a general partner or manager/managing member) having an ownership interest, either directly or indirectly, in the Applicant or in the general partner or managing member of the Applicant shall be required to provide guarantees or personal guarantees, as applicable, for completion of construction as recommended by the Credit Underwriter or as otherwise required by the Corporation. The Corporation Credit Underwriter shall consider the following when determining the need for additional construction completion guarantees based on the recommendations of the Credit Underwriter:

(a) through (d) No change.

(16) through (31) No change.

67-48.0075 Miscellaneous Criteria.

(1) In addition to the alteration, improvement or modification of an existing structure, Rehabilitation or Preservation with respect to the HOME Program and Rehabilitation or Preservation with respect to the Housing Credit Program also includes:

(a) No change.

(b) For Competitive Housing Credit Developments, what is stated in Section 42(e) of the IRC, except that the following is substituted for with the exception of Section 42(e)(3)(A)(ii)(II), ~~which is changed to read:~~ "II. The requirement of this subclause is met if the qualified basis attributable to such amount, when divided by the number of low-income units in the building, is \$25,000 or more."

(2) through (7) No change.

67-48.019 Eligible and Ineligible HOME Development Costs.

(1) HOME funds may be used to pay for the following eligible costs as enumerated in 24 CFR Part 92:

(a) Development hard costs as they directly relate to the identified HOME-Assisted Units only for:

1. New construction, the costs necessary to meet all applicable local and state codes, ordinances, and zoning requirements. Note that 24 CFR § 92.251 requires that HOME-Assisted new construction projects must meet state or local residential and building codes, as applicable or, in the absence of a state or local building code, the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council;

2. through 3. No change.

(b) through (c) No change.

(2) No change.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: RULE TITLE:

68-1.003: Florida Fish and Wildlife Conservation Commission Grants Program

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. 42 No. 127, June 30, 2016 issue of the Florida Administrative Register, which was subsequently changed by a Notice of Change published in Vol. 42 No. 130, July 6, 2016.

The Derelict Vessel Removal Grant Guidelines (June 16) incorporated by reference into subsection (7) of the rule, have been modified in the following way: all hyperlinks to websites and email addresses have been removed from the document.

The name of form FWC: DV-APP (June 2016), incorporated by reference into subsection (7) of the rule, is added to the rule language as FWC Derelict Vessel Removal Grant Application.

The FWC Derelict Vessel Removal Grant Application, Form FWC: DV-APP (June 2016), incorporated by reference into subsection (7) of the rule, has been modified in the following way: the notary signature block on page five, creating the sworn statement of the applicant, has been removed.

These changes are implemented in response to comments made by the Joint Administrative Procedures Committee in a letter dated July 22, 2016.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER16-35 PICK 2™

SUMMARY: This emergency rule sets forth the provisions for the conduct of the draw lottery game, PICK 2™.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-35 PICK 2™.

(1) How to Play PICK 2™.

(a) PICK 2 is a draw lottery game (also known as an online lottery game) in which a player selects any two-digit number from 00 to 99 inclusive. The digits may be the same or different, for example, 11 and 12 are both valid selections. A player selects only one digit in a Front Number or Back Number play as further described in subparagraphs (1)(e)4. and 5., below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) Players may make their PICK 2 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PICK 2 selections must mark one number in each column, or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PICK 2 ticket selections by telling the retailer must specify the play type, play amount, draw time, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers).

(d) Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(d), both a fourteen-day and a seven-day period begin on the date of the next available PICK 2 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected. The advance play options are described more fully in subparagraphs 1 and 2 below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

In the event that a planned change in the PICK 2 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the

change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(e) PICK 2 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 2 winning numbers for the drawing, the player wins \$25 for a 50-cent play or \$50 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 2 winning numbers for the drawing. A "box" play pays a winner \$12.50 for a 50-cent play or \$25 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play. A "Straight and box" play pays a winner \$37.50 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 2 winning numbers of the drawing, or \$12.50 if the player's digits match, in any order, the official PICK 2 winning numbers for the drawing.

4. "Front Number" play. A front number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the first digit as printed on the ticket matches the first number of the official PICK 2 winning numbers for the drawing.

5. "Back Number" play. A back number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the last digit as printed on the ticket matches the last number of the official PICK 2 winning numbers for the drawing.

(f) On occasion, increases in the prize amounts set forth in paragraph (1)(e) above will be offered for promotional purposes.

(g) A liability limit of \$1 million is established for PICK 2. When the play of a particular two digit number for a drawing reaches the Florida Lottery's PICK 2 liability limit of \$1 million, no further ticket sales for any type of play that would involve that two-digit number will be allowed for that drawing. In addition, no Front Number or Back Number play that involves the first or last digit of the two-digit number will be allowed for that drawing.

(2) PICK 2 Drawings.

(a) PICK 2 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of two units of balls numbered zero (0) through nine (9).

(c) Two balls will be selected in the drawing, one each into two separate display devices. The numbers shown on the two balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PICK 2 Odds of Winning.

The odds of winning in PICK 2 are as follows:

(a) Straight 1 in 100

(b) Box 1 in 50

(c) Straight and Box 1 in 100 and 1 in 50

(d) Front Number 1 in 10

(e) Back Number 1 in 10

(4) PICK 2 Rules and Prohibitions.

(a) By purchasing a PICK 2 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 2 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, PICK 2 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 2 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m. ET for the evening draw. Ticket sales for a specific PICK 2 drawing will close approximately thirteen minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 2 draw date and draw time, unless the player specifies another PICK 2 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 2 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 2 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related PICK 2 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(5) The effective date of this emergency rule is August 1, 2016.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 8-1-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 8-1-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER16-36 PICK 3™

SUMMARY: This emergency rule sets forth the provisions for the conduct of PICK 3™. This emergency rule replaces Emergency Rule 53ER15-20, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-36 PICK 3™.

(1) How to Play PICK 3™.

(a) PICK 3 is a draw lottery game (also known as an online lottery game) in which a player selects any three-digit number from 000 to 999 inclusive. The digits may be the same, different or combination thereof; for example, 111, 122, and 123 are all valid selections. A player selects only two digits in a Front Pair or Back Pair play as further described in subparagraphs (1)(g)5. and 6., below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) Players may make their PICK 3 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PICK 3 selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next

available PICK 3 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available PICK 3 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PICK 3 ticket selections by telling the retailer must specify the play type, play amount, draw time, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers).

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as described in paragraph (1)(g) below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described below.

(f) Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 3 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance Play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

In the event that a planned change in the PICK 3 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(g) PICK 3 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 3 winning numbers for the drawing, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 3 winning numbers for the drawing.

a. A "3-way box" is a play in which the player has selected a number with two identical digits and one different digit (example 112) and covers the three possible combinations of the three digits. A 3-way box pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number in which all three digits are different (example 123) and covers the six possible combinations of the three digits. A 6-way box pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 3-way box" play pays a winner \$330.00 if a player's digits as printed on the player's ticket, match, in exact order, the official PICK 3 winning numbers for the drawing

, or \$80.00 if the player's digits match, in any other order, the official PICK 3 winning numbers for the drawing.

b. A "Straight and 6-way box" play pays a winner \$290.00 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 3 winning numbers for the drawing, or \$40.00 if the player's digits match, in any

other order, the official PICK 3 winning numbers for the drawing.

4. "Combo" play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

a. A "3-way combo" is a play in which the player has selected a number with two identical digits and one different digit. The combo involves three straight play combinations; for example, a (122) 3-way combo covers the combinations 122, 212, and 221. A "3-way combo" pays \$250 for a \$1.50 play (\$.50 per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

b. A "6-way combo" is a play in which the player has selected a number in which all three digits are different. The combo involves six straight play combinations; for example, a (123) 6-way combo covers the combinations 123, 132, 213, 231, 312, and 321. A "6-way combo" pays \$250 for a \$3.00 play (\$.50 per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

5. "Front Pair" play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the first two numbers of the official PICK 3 winning numbers for the drawing.

6. "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the last two numbers of the official PICK 3 winning numbers for the drawing.

7. "1-OFF[®]" play. A 1-OFF play allows a player to win if the three-digit number chosen by the player matches, in exact order, the official PICK 3 winning numbers for the drawing ("straight win") or if one of the twenty-six three-digit 1-OFF numbers printed on the player's ticket matches, in exact order, the official PICK 3 winning numbers for the drawing ("1-OFF win"). A PICK 3 1-OFF ticket will contain the three-digit number (player-selected or Quick Pick) that qualifies for the straight win plus twenty-six additional three-digit 1-OFF numbers that qualify for a 1-OFF win. The twenty-six 1-OFF numbers are all the possible combinations in which each of the three digits either matches or is one number higher or lower than each of the player's three digits, in exact order. A \$1.00 play pays as follows:

a. \$250 for a straight win

b. \$20 for a 1-OFF on one digit win- (two digits match, one digit is off by one)

c. \$10 for a 1-OFF on three digits win- (all three digits are off by one)

d. \$5 for a 1-OFF on two digits win- (one digit matches, two digits are off by one)

A 50-cent play amount is not available for a 1-OFF play.

(h) On occasion, increases in the prize amounts set forth in paragraph (1)(g) above will be offered for promotional purposes.

(i) A liability limit of \$ 8 million is established for PICK 3. When the play of a particular three-digit number for a drawing reaches the Florida Lottery’s PICK 3 liability limit of \$8 million, no further ticket sales for any type of play that would involve that three-digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three-digit number will be allowed for that drawing.

(2) PICK 3 Drawings.

(a) PICK 3 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of three units of balls numbered zero (0) through nine (9).

(c) Three balls will be selected in the drawing, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PICK 3 Odds of Winning.

The odds of winning in PICK 3 are as follows:

- (a) Straight 1 in 1000
- (b) Box 3-Way 1 in 333.33
- (c) Box 6-Way 1 in 166.67
- (d) Straight and Box 3-Way 1 in 1000 and 1 in 333.33
- (e) Straight and Box 6-Way 1 in 1000 and 1 in 166.67
- (f) Combo 3-Way 1 in 333.33
- (g) Combo 6-Way 1 in 166.67
- (h) Front Pair 1 in 100
- (i) Back Pair 1 in 100
- (j) 1-OFF

- 1. Straight 1 in 1,000
- 2. 1-OFF on one digit 1 in 166.67
- 3. 1-OFF on three digits 1 in 125
- 4. 1-OFF on two digits 1 in 83.33

(4) PICK 3 Rules and Prohibitions.

(a) By purchasing a PICK 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and on-line system availability, PICK 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 3 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m. ET for the evening draw. Ticket sales for a specific PICK 3 drawing will close approximately eleven minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 3 draw date and draw time, unless the player specifies another PICK 3 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two hours after printing, except that no PICK 3 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of on-line system availability, or the time of the related PICK 3 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player’s selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the “quick pick” method of number selection.

(5) The effective date of this emergency rule is August 1, 2016.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 8-1-16, Replaces 53ER15-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-1-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER16-37 PICK 4™

SUMMARY: This emergency rule sets forth the provisions for the conduct of PICK 4™. This emergency rule replaces Emergency Rule 53ER15-21.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst,

Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-37 PICK 4™.

(1) How to Play PICK 4™.

(a) PICK 4 is a draw lottery game (also known as an online lottery game) in which a player selects any four-digit number from 0000 through 9999 inclusive. The digits may be the same, different or combination thereof; for example, 1111, 1213, and 1234 are all valid selections. A player selects only two digits in a Front Pair, Mid Pair or Back Pair play as further described in subparagraphs (1)(g)5., 6., and 7., below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) Players may make their PICK 4 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PICK 4 ticket selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets each with one set of four randomly selected numbers (straight play) for the next PICK 4 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next available PICK 4 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PICK 4 ticket selections by telling the retailer must specify the play type, draw time, play amount, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers).

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (1)(g) below.

(f) Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw times they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 4 drawing for the draw time selected and continue through the next thirteen /six consecutive days for the draw time selected. The advance play options are described more fully in subparagraphs 1 and 2, below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one (1) of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

In the event that a planned change in the PICK 4 game requires that the number of advance plays available for

purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(g) PICK 4 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 4 winning numbers for the drawing.

a. A "4-way box" is a play in which the player has selected a number with three identical digits and one different digit (example 1112) and covers the four possible combinations of the four digits. A 4-way box pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number with two different pairs of identical digits (example 1122) and covers the six possible combinations of the four digits. A 6-way box pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

c. A "12-way box" is a play in which the player has selected a number with two identical digits and two different digits (example 1123) and covers the twelve possible combinations of the four digits. A 12-way box pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

d. A "24-way box" is a play in which the player has selected a number with four different digits (example 1234) and covers the twenty-four possible combinations of the four digits. A 24-way box pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 4-way box" play pays a winner \$3,099 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$599 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

b. A "Straight and 6-way box" play pays a winner \$2,900 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$400 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

c. A "Straight and 12-way box" play pays a winner \$2,700 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$200 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

d. A "Straight and 24-way box" play pays a winner \$2,600 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$100 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

4. "Combo" play. A combo is a play covering all straight combinations of a four-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four-digit number selected.

a. A "4-way combo" is a play in which the player has selected a number with three identical digits. The 4-way combo is comprised of four straight play combinations; for example, a (1112) 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

b. A "6-way combo" is a play in which the player has selected a number with two different pairs of digits. The 6-way combo is comprised of six straight play combinations; for example, a (1122) 6-way combo covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

c. A "12-way combo" is a play in which the player has selected a number with two identical digits and two different digits. The 12-way combo is comprised of twelve straight play combinations; for example, a (1123) 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

d. A "24-way combo" is a play in which the player has selected a number with four unique digits. The 24-way combo is comprised of twenty-four straight play combinations; for example, a (1234) 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

5. "Front Pair" play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the first two numbers of the official PICK 4 winning numbers for the drawing.

6. "Mid Pair" play. A mid pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the middle two numbers of the official PICK 4 winning numbers for the drawing.

7. "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the

player's ticket match, in exact order, the last two numbers of the official PICK 4 winning numbers for the drawing.

8. "1-OFF[®]" play. A 1-OFF play allows a player to win if the four-digit number chosen by the player matches, in exact order, the official PICK 4 winning numbers for the drawing ("straight win") or if one of the eighty four-digit 1-OFF numbers printed on the player's ticket matches, in exact order, the official PICK 4 winning numbers for the drawing ("1-OFF win"). A PICK 4 1-OFF ticket will contain the four-digit number (player-selected or Quick Pick) that qualifies for the straight win plus eighty additional four-digit 1-OFF numbers that qualify for a 1-OFF win. The eighty 1-OFF numbers are all the possible combinations in which each of the four digits either matches or is one number higher or lower than each of the player's four digits, in exact order. A \$1.00 play pays as follows:

- a. \$2,500 for a straight win
- b. \$100 for a 1-OFF on one digit win- (three digits match, one digit is off by one)
- c. \$50 for a 1-OFF on four digits win- (all four digits are off by one)
- d. \$25 for a 1-OFF on two digits win- (two digits match, two digits are off by one)
- e. \$15 for a 1-OFF on three digits win- (one digit matches, three digits are off by one)

A 50-cent play amount is not available for a 1-OFF play.

(h) On occasion, increases in the prize amounts set forth in paragraph (1) (g) above will be offered for promotional purposes.

(i) A liability limit of \$7 million is established for PICK 4. When the play of a particular four digit number for a drawing reaches the Florida Lottery's PICK 4 liability limit of \$7 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

(2) PICK 4 Drawings.

(a) PICK 4 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero (0) through nine (9).

(c) Four balls will be selected in the drawing, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PICK 4 Odds of Winning.

The odds of winning in PICK 4 are as follows:

- (a) Straight 1 in 10,000

- (b) Box 4-Way 1 in 2,500
- (c) Box 6-Way 1 in 1,666.67
- (d) Box 12-Way 1 in 833.33
- (e) Box 24-Way 1 in 416.67
- (f) Straight/ Box 4-Way 1 in 10,000 and 1 in 2,500
- (g) Straight/ Box 6-Way 1 in 10,000 and 1 in 1,666.67
- (h) Straight/ Box 12-Way 1 in 10,000 and 1 in 833.33
- (i) Straight/ Box 24-Way 1 in 10,000 and 1 in 416.67
- (j) Combo 4-Way 1 in 2,500
- (k) Combo 6-Way 1 in 1,666.67
- (l) Combo 12-Way 1 in 833.33
- (m) Combo 24-Way 1 in 416.67
- (n) Front Pair 1 in 100
- (o) Middle Pair 1 in 100
- (p) Back Pair 1 in 100
- (q) 1-OFF:
 - 1. Straight 1 in 10,000
 - 2. 1-OFF on one digit 1 in 1,250
 - 3. 1-OFF on four digits 1 in 625
 - 4. 1-OFF on two digits 1 in 416.67
 - 5. 1-OFF on three digits 1 in 312.50

(4) PICK 4 Rules and Prohibitions.

(a) By purchasing a PICK 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, PICK 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 4 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m., ET for the evening draw. Ticket sales for a specific PICK 4 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 4 draw date and time unless the player specifies another PICK 4 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 4 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related PICK 4 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s), draw time(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(5) The effective date of this emergency rule is August 1, 2016.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 8-1-16, Replaces 53ER15-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 8-1-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER16-38 PICK 5™

SUMMARY: This emergency rule sets forth the provisions for the conduct of the draw lottery game PICK 5™.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-38 PICK 5™.

(1) How to Play PICK 5™.

(a) PICK 5 is a draw lottery game (also known as an online lottery game) in which a player selects any five-digit number from 00000 through 99999 inclusive. The digits may be the same, different or combination thereof; for example, 11111, 12123, and 12345 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) Players may make their PICK 5 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PICK 5 ticket selections must mark one number in each column or mark the Quick Pick ("QP") box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for

each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets each with one set of five randomly selected numbers (straight play) for the next PICK 5 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of five randomly selected numbers (straight play) for the next available PICK 5 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PICK 5 ticket selections by telling the retailer must specify the play type, draw time, play amount, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers).

(d) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 5-way box, 10-way box, 20-way box, or 30-way, 60-way or 120-way box combination as described in paragraph (1)(f) below.

(e) Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw times they desire. For purposes of this paragraph (1)(e), both a fourteen-day and a seven-day period begin on the date of the next available PICK 5 drawing for the draw time selected and continue through the next thirteen /six consecutive days for the draw time selected. The advance play options are described more fully in subparagraphs 1. and 2., below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one (1) of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

In the event that a planned change in the PICK 5 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(f) PICK 5 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, the player wins \$25,000 for a 50-cent play or \$50,000 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 5 winning numbers for the drawing.

a. A "5-way box" is a play in which the player has selected a number with four identical digits and one different digit (example 11112) and covers the five possible combinations of the five digits. A 5-way box pays a winner \$5,000 for a 50-cent play or \$10,000 for a \$1.00 play.

b. A "10-way box" is a play in which the player has selected a number with three identical digits and two identical different digits (example 11122) and covers the ten possible combinations of the five digits. A 10-way box pays a winner \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

c. A "20-way box" is a play in which the player has selected a number with three identical digits and two different digits (example 11123) and covers the twenty possible combinations of the five digits. A 20-way box pays a winner \$1,250 for a 50-cent play or \$2,500 for a \$1.00 play.

d. A "30-way box" is a play in which the player has selected a number with two different pairs of identical digits

and one different digit (example 11223) and covers the thirty possible combinations of the five digits. A 30-way box pays a winner \$830 for a 50-cent play or \$1,660 for a \$1.00 play.

e. A "60-way box" is a play in which the player has selected a number with two identical digits and three different digits (example 11234) and covers the sixty possible combinations of the five digits. A 60-way box pays a winner \$415 for a 50-cent play or \$830 for a \$1.00 play.

f. A "120-way box" is a play in which the player has selected a number with five different digits (example 12345) and covers the one hundred twenty possible combinations of the five digits. A 120-way box pays a winner \$208 for a 50-cent play or \$416 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 5-way box" play pays a winner \$30,000 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$5,000 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

b. A "Straight and 10-way box" play pays a winner \$27,500 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$2,500 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

c. A "Straight and 20-way box" play pays a winner \$26,250 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$1,250 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

d. A "Straight and 30-way box" play pays a winner \$25,830 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$830 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

e. A "Straight and 60-way box" play pays a winner \$25,415 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$415 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

f. A "Straight and 120-way box" play pays a winner \$25,208 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$208 if the player's digits match, in any

other order, the official PICK 5 winning numbers for the drawing.

(g) On occasion, increases in the prize amounts set forth in paragraph (1) (f) above will be offered for promotional purposes.

(h) A liability limit of \$5 million is established for PICK 5. When the play of a particular five digit number for a drawing reaches the Florida Lottery’s PICK 5 liability limit of \$5 million, no further ticket sales for any type of play that would involve that five digit number will be allowed for that drawing.

(2) PICK 5 Drawings.

(a) PICK 5 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of five units of balls numbered zero (0) through nine (9).

(c) Five balls will be selected in the drawing, one each into five separate display devices. The numbers shown on the five balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PICK 5 Odds of Winning.

The odds of winning in PICK 5 are as follows:

- (a) Straight 1 in 100,000
- (b) Box 5-way 1 in 20,000
- (c) Box 10-way 1 in 10,000
- (d) Box 20-way 1 in 5,000
- (e) Box 30-way 1 in 3,333.33
- (f) Box 60-way 1 in 1,666.67
- (g) Box 120-way 1 in 833.33
- (f) Straight/ Box 5-way 1 in 100,000 and 1 in 20,000
- (g) Straight/ Box 10-way 1 in 100,000 and 1 in 10,000
- (h) Straight/ Box 20-way 1 in 100,000 and 1 in 5,000
- (i) Straight/ Box 30-way 1 in 100,000 and 1 in 3,333.33
- (j) Straight/ Box 60-way 1 in 100,000 and 1 in 1,666.67
- (k) Straight/ Box 120-way 1 in 100,000 and 1 in 833.33

(4) PICK 5 Rules and Prohibitions.

(a) By purchasing a PICK 5 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and on-line system availability, PICK 5 lottery tickets are available for

purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 5 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m., ET for the evening draw. Ticket sales for a specific PICK 5 drawing will close approximately twelve minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 5 draw date and time unless the player specifies another PICK 5 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two hours after printing, except that no PICK 5 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of on-line system availability, or the time of the related PICK 5 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s), draw time(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player’s selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the “quick pick” method of number selection.

(5) The effective date of this emergency rule is August 1, 2016.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 8-1-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-1-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-39 RULE TITLE: PICK 2™ and PICK 5™ Retailer Drawings
SUMMARY: The rule sets forth the provisions for the PICK 2™ and PICK 5™ Retailer Drawings.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32301

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-39 PICK 2™ and PICK 5™ Retailer Drawings.

(1) Beginning Monday, August 1, 2016, through Sunday, September 11, 2016, (“Promotion Period”) the Florida Lottery will conduct the PICK 2™ and PICK 5™ Retailer Drawings.

(2) During the Promotion Period, for every \$10 in PICK 2 and PICK 5 sales combined, Florida Lottery retailers will earn one entry into one of eighteen drawings for a chance to win \$4,000. Drawings will be held on Monday, September 19, 2016.

(3) Drawings and Prizes. The eighteen retailer drawings, determined by district and retailer category (corporate or independent), will be conducted by the Florida Lottery using a certified random number generation process. The number of entries drawn and prizes awarded will be in accordance with the following table:

<u>Lottery Sales District</u>	<u>Prize Per Retailer</u>	<u>Number of Corporate Retailer Prizes</u>	<u>Number of Independent Retailer Prizes</u>
<u>District 1- Tallahassee</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 3- Pensacola</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 4- Jacksonville</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 5- Gainesville</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 6- Orlando</u>	<u>\$4,000</u>	<u>4</u>	<u>4</u>
<u>District 9- Tampa</u>	<u>\$4,000</u>	<u>4</u>	<u>4</u>
<u>District 10- Ft. Myers</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 11- West Palm Beach</u>	<u>\$4,000</u>	<u>2</u>	<u>2</u>
<u>District 13- Miami</u>	<u>\$4,000</u>	<u>4</u>	<u>8</u>

A total of 52 \$4,000 prizes will be awarded in the Promotion.

An individual retailer location may only win one prize per drawing. Alternate entries will be drawn in each drawing. The number of alternate entries drawn will be twice the number of prizes to be awarded in that drawing. Alternate entries will be used as needed in the order in which they are drawn to award a prize in the event a retailer’s entry is disqualified. Retailers will be subject to disqualification if the Florida Lottery determines that:

(a) the retailer has already been awarded a prize in that drawing;

(b) the retailer is not in good financial standing with the Florida Lottery at the time of prize payment; or

(c) the retailer is not in an “active” retailer status at the time of prize payment.

(4) Winning retailers will receive their Promotion prize check within approximately thirty days of the drawing.

(5) A promotional prize will be considered compensation to the retailer for Internal Revenue Service purposes. Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History- New 7-27-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 7-27-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-40 RULE TITLE: Draw Games Drawing Procedures
SUMMARY: This emergency rule sets forth the draw procedures for the following Florida Lottery draw games: FLORIDA LOTTO®; FANTASY 5®; LUCKY MONEY™; PICK 2™, PICK 3™, PICK 4™ and PICK 5™. This emergency rule replaces Emergency Rule 53ER14-40. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-40 Draw Games Drawing Procedures.

(1) This rule shall apply to draw games (also known as online lottery games) drawings conducted by the Florida Lottery.

(2) Florida Lottery drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm (“Accountant”) who shall certify to the integrity, security and fairness of each drawing. All drawings shall be recorded by a video recorder.

(3) The ball sets and drawing machines used in Florida Lottery drawings shall be determined by random selection and shall be inspected by an employee of the Florida Lottery’s Security Division (“Draw Manager”) and the Accountant before and after each drawing. The Draw Manager and the Accountant shall ensure that all balls within a set contain the same security code. A primary and secondary ball set and drawing machine shall be selected for each draw.

(4) The primary ball sets shall be weighed. If the weight of the ball set is outside of the tolerance range provided by the manufacturer, the secondary ball set shall be weighed. If the

secondary ball set is outside of the tolerance range, other ball sets shall be selected and weighed by the Draw Manager and Accountant until an acceptable set is determined.

(5) Once a ball set has been determined, it shall be loaded by the Draw Manager into the primary drawing machine and a number of test draws shall be conducted, as follows:

(a) For FLORIDA LOTTO[®], six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(b) For FANTASY 5[®], seven test draws will be conducted. If the same digit is selected five times during the seven draws, three additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(c) For LUCKY MONEY[™], six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(d) For PICK 5[™], five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(e) For PICK 4[™], five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(f) For PICK 3[™], five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(g) For PICK 2[™], five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, an alternative ball set shall be used.

(6) If the alternative ball set does not pass the test drawing parameters, the backup drawing machine will be used. Tests will be conducted with ball sets whose weight falls within the tolerance range until an acceptable ball set and drawing machine have been determined.

(7) If the game for which a drawing is being held cannot be closed on the gaming system, the drawing will be delayed until the game can be closed.

(8) During the drawing, balls will be mixed and pushed into the display devices by the action of an air blower. A ball

must be “trapped” in the display position at the top of the mixing chamber to be a winning number.

(9) In the event of a power failure, drawing equipment malfunction or error in the drawing process, including but not limited to the Host/Hostess announcing a ball number that was not trapped as specified in subsection (8), the drawing will be stopped and will resume as soon thereafter as possible. The balls drawn before the occurrence, if any, will be declared valid.

(10) If a Draw Host/Hostess incorrectly announces the number of a ball that has been trapped in the display position, the Draw Manager shall immediately correct the Draw Host/Hostess by announcing the correct number.

(11) Upon certification by the Draw Manager and the Accountant, the numbers shown on the balls will be announced as the official winning numbers for the drawing.

(12) Following removal of the balls from the drawing machine, the ball set will be weighed. If the weight of the ball set differs from the pre-draw weight by more than 1 gram or is outside of the tolerance range provided by the manufacturer, the ball set will be secured and delivered to the Florida Lottery’s Division of Security for investigation.

(13) If an incorrect Xtra number is displayed on the countdown slate prior to the FLORIDA LOTTO drawing and is discovered prior to display during the drawing, the drawing will be delayed until the correct Xtra number is displayed. If an incorrect Xtra number is revealed during the FLORIDA LOTTO draw, the Florida Lottery will pay prizes based on the higher of the Xtra number revealed and the actual Xtra number drawn.

(14) In the event a problem occurs that is not contemplated under this rule, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(15) The effective date of this emergency rule is August 1, 2016.

Rulemaking Authority 24.105(9)(d), 24.109(1), FS. Law Implemented 24.105(9)(d), 24.108(6), FS. History- New 8-1-16, Replaces 53ER14-40.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 8-1-16.

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional
Regulation, Division of Hotels and Restaurants hereby gives
notice:

On July 15, 2016, the Division of Hotels and Restaurants
received a Petition for an Emergency Variance for paragraph
61C-1.004(1)(a), Florida Administrative Code and Paragraph
5-202.11(A), 2009 FDA Food Code from Sunday's Ice Cream,
INC located in Palm Harbor. The above referenced F.A.C.
addresses the requirement that each establishment have an
approved plumbing system installed to transport potable water
and wastewater. They are requesting to utilize holding tanks to
provide potable water and to collect wastewater at the three
compartment sink and at the handwash sink.

The Petition for this variance was published in Vol. 42/138 on
July 18, 2016. The Order for this Petition was signed and
approved on July 26, 2016. After a complete review of the
variance request, the Division finds that the application of this
Rule will create a financial hardship to the food service
establishment. Furthermore, the Division finds that the
Petitioner meets the burden of demonstrating that the
underlying statute has been achieved by the Petitioner
ensuring the wastewater holding tank for the handwash and
three-compartment sinks is emptied at a frequency as to not
create a sanitary nuisance; and potable water provided must
come from an approved source and be protected from
contamination during handling. The Petitioner shall also
ensure that the handwash and three-compartment sinks are
provided with hot and cold running water under pressure; the
handwash sink is provided with soap, an approved hand
drying device and a handwashing sign.

A copy of the Order or additional information may be
obtained by contacting:
George.Koehler@myfloridalicense.com, Division of Hotels
and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida
32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional
Regulation, Division of Hotels and Restaurants hereby gives
notice:

On July 18, 2016, the Division of Hotels and Restaurants
received a Petition for an Emergency Variance for
Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section
3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA
Food Code, Section 6-202.16, 2009 FDA Food Code,
subsection 61C-4.010(1), Florida Administrative Code, and
subsection 61C-4.010(6), Florida Administrative Code, from
Astley's Where Fresh Sandwiches Cost Less located in
Hialeah. The above referenced F.A.C. addresses the
requirement for proper handling and dispensing of food. They
are requesting to dispense bulk time/temperature control for
safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 42/140 on
July 20, 2016. The Order for this Petition was signed and
approved on July 26, 2016. After a complete review of the
variance request, the Division finds that the application of this
Rule will create a financial hardship to the food service
establishment. Furthermore, the Division finds that the
Petitioner meets the burden of demonstrating that the
underlying statute has been achieved by the Petitioner
ensuring that each pan within the steam table is properly
covered with an individual lid; the steam table is enclosed
within a cabinet with tight-fitting doors, and is protected by an
air curtain installed and operated according to the
manufacturer's specifications that protects against flying
vermin or other environmental contaminants; all steam table
foods must be properly reheated for hot holding at approved
commissaries and held hot at the proper minimum temperature
per the parameters of the currently adopted FDA Food Code;
and steam table food is to be dispensed by the operator with
no customer self-service. The Petitioner shall also strictly
adhere to the operating procedures and copies of the variance
and operating procedures are to be present on the MFDV
during all periods of operation.

A copy of the Order or additional information may be
obtained by contacting:
George.Koehler@myfloridalicense.com, Division of Hotels
and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida
32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 26, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code, from Pizza Napolitano located in Medley. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers only.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: George.Koehler@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry hereby gives notice that the Petition filed by Timothy B. Hamilton, O.D. F.A.A.O., on April 11, 2016, seeking a variance or waiver of Rule 64B13-4.001, F.A.C., has been withdrawn. The Notice of Petition was published in Vol. 42, No. 75, of the April 18, 2016, issue of the Florida Administrative Register.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, (850)488-0595, Anthony.Spivey@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-149.005 Reasonableness of Benefits in Relation to Premiums

NOTICE IS HEREBY GIVEN that on July 22, 2016, the Office of Insurance Regulation, received a petition for Variance from Fla. Admin. Code Ann. paragraph 69O-149.005(14)(b) from Metropolitan Life Insurance Company. The petition requests that the Office grant a variance from the multiple year rate guarantee or rating cap provision that may not exceed 24 months. Petitioner request that the time frame

be extended to at least 36 months or such longer period the Office may permit, with respect to group health insurance policies insuring groups of 51 or more persons.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Debra Seymour at Debra.Seymour@flor.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: August 11, 2016, 4:00 p.m.

PLACE: R.A. Gray Building, 500 S. Bronough Street, Room #428, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a response opening is hereby noticed for the following Request for Proposal Number: DOS RFP 07/16-03 – Consultant to Develop Federal Long Range Plan and Evaluation. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and need not re-advertise notice in the Florida Administrative Register. Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu

A copy of the agenda may be obtained by contacting: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com.

DEPARTMENT OF TRANSPORTATION

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

DATES AND TIMES: August 2, 2016, 1:00 p.m. – 5:00 p.m.; August 3, 2016, 8:30 a.m. – 12:00 Noon

PLACE: University of South Florida, Center for Urban Transportation Research (CUTR), 4202 East Fowler Avenue, CUT 100, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bicycle and Pedestrian Partnership Council meeting. General discussion between council members.

A copy of the agenda may be obtained by contacting: Melanie Weaver Carr, Melanie.carr@dot.state.fl.us, (850)414-4800.

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: Paula San Gregorio, (850)414-4811. 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 HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles - Division of Florida Highway Patrol announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2016, 11:15 a.m., ET

PLACE: Florida Public Safety Institute Conference Center, 75 College Drive, Havana, FL 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an UPDATE to the meeting notice published on July 22, 2016. The date and time to call in to leave comments has been changed.

The Florida Highway Patrol is scheduled for an on-site assessment as part of a program to achieve re-accreditation by verifying it meets professional standards.

Administered by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA ®), the accreditation program requires agencies to comply with state-of-the-art standards in four basic areas: policy and procedures, administration, operations, and support services.

As part of the on-site assessment, agency employees and members of the community are invited to offer comments at this public information session.

Agency employees and the public are also invited to offer comments by calling 1(800)335-5652 on August 17, 2016 between the hours of 8:30am and 10:30am. Comments will be taken by the Assessment Team.

Telephone comments as well as appearances at the public information session are limited to 10 minutes and must address the agency's ability to comply with CALEA's standards. A copy of the Standards is available at the Department of Highway Safety & Motor Vehicles headquarters in Tallahassee. Local contact is Captain Hugh Cutchen, (850)617-2342.

Anyone wishing to submit written comments about the Florida Highway Patrol's ability to comply with the standards for accreditation may send them to the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), 13575 Heathcote Boulevard, Suite 320 Gainesville, Virginia 20155 or www.calea.org.

Agenda:

1. Welcome - Opening Comments by CALEA Assessors
2. Public Comment
3. Closing Comments – CALEA Assessors
4. Adjourn

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Captain Hugh Cutchen, 2900 Apalachee Parkway, Room B333, Tallahassee, FL 32399-0500, (850)617-2342, HughCutchen@flhsmv.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles - Division of Florida Highway Patrol announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2016, 1:00 p.m. – 3:00 p.m., ET

PLACE: Neil Kirkman Building, Training Room B130, 2900 Apalachee Parkway, Tallahassee Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to receive an update on Phase I of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

AGENDA

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Stakeholder Outreach Update
- Policy and Decisions Review
- ESC Meeting Follow-up
- MM Phase I Program Update
 - o Status Update and Financial Review
 - o Change Request Review
 - o Development Update
- Q&A
- Adjourn

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/630034677>

You can also dial in using your phone

United States: +1 (646)749-3129

United States (toll-free): 1(877)309-2073

Access Code: 630-034-677

Audio PIN: Shown after joining the meeting

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, terrencsamuel@flhsmv.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: August 3, 2016, 2:30 pm

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-16-17-005) for FDEM Logistics Support Trailer Retrofit

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Kara Nevin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, Phone: (850)922-1649, Email: Kara.Nevin@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kara Nevin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency

Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, Phone: (850)922-1649, Email: Kara.Nevin@em.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

The Northwest Florida Water Management District announces public meetings to which all persons are invited.

DATE AND TIMES: August 11, 2016, 11:30 a.m., Resource Management Committee Meeting; 12:00 Noon, Lands Committee Meeting; 1:00 p.m., Governing Board Meeting; 1:05 p.m., Public Hearing on Regulatory Matters

PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business. The following items will be presented during the Governing Board Meeting: Request for release of FY 2016-2017 state appropriations; Authorization to declare and dispose of surplus property; Amendment No. 4 to realign FY 2015-2016 budget with no increase or decrease to the total District budget.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nwfwater.com/About/Governing-Board/Board-Meetings-Agendas>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Wendy Dugan. 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.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, August 9, 2016, 9:00 a.m. the Projects and Land Committee business meeting will begin; 10:00 a.m. or upon conclusion of the Projects and Land Committee, whichever is later the Finance, Administration and Audit Committee meeting will begin; 11:00 a.m. or upon the conclusion of the Finance Committee meeting, whichever is later the Governing Board meeting will begin

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4470 or by visiting the District's website at sjrwmd.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: District Clerk at (386)329-4500. 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 MANAGEMENT SERVICES

E911 Board

The Florida E911 Board announces a public meeting to which all persons are invited.

DATES AND TIME: August 17-18, 2016, 9:00 to conclusion of business

PLACE: Telephone Conference Meeting, Conference Number: 1(888)670-3525, Conference Code: 2323004133

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss related to the Florida E911 Board.

A copy of the agenda may be obtained by contacting: Taylor Hatch, (850)487-7001.

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: Taylor Hatch, (850)487-7001. 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: Taylor Hatch, (850)487-7001.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 30, 2016, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303; telephone conference call-in number: 1(888)392-4560; contact: Rebecca Sammons, (850)521-0500, ext. 114 at least 48 hours prior to the meeting, and to acquire the participant code

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

A copy of the agenda may be obtained by contacting Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 26, 2016, 9:00 a.m.

PLACE: meet me number: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Dr. Anthony Spivey, Executive Director at Anthony.spivey@flhealth.gov or at the web site: <http://floridasclinicallabs.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Anthony Spivey at Anthony.spivey@flhealth.gov. If you are hearing or speech impaired, please contact the

agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Dr. Anthony Spivey, Executive Director at Anthony.spivey@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2016, 9:00 a.m.

PLACE: 1002 E. Palm Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough Alliance business

A copy of the agenda may be obtained by contacting: Gabriela Reece, (813)337-5805.

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: Gabriela Reece, (813)337-5805. 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

Family Safety and Preservation Program

RULE NOS.:RULE TITLES:

65C-14.001 Definitions

65C-14.018 Community Interaction

65C-14.021 Discipline, Control and Punishment

65C-14.023 Staff Qualifications

65C-14.040 Admission and Planning

The Department of Children and Families announces a hearing to which all persons are invited.

DATE AND TIME: August 4, 2016, 11:00 a.m. – 12:30 p.m.

PLACE: (1) Attending in person at: Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, Room 301G, Tallahassee, FL 32399-0700; (2) Via conference call: Dial 1(888)670-3525, Code: 312 614 9586 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public hearing on the proposed changes to 65C-14, F.A.C., that were published in the July 5, 2016, edition of the F.A.R.

A copy of the agenda may be obtained by contacting: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.Abramowitz@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.Abramowitz@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Department of Children and Families, Refugee Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 16, 2016, 5:00 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting #3.

Title: Reply Opening and Review of Mandatory Requirements for Youth Services for Refugees and Entrants in Broward, Duval, Hillsborough, Palm Beach, and Miami-Dade Counties (ITN# 05K16BS1).

Description: As provided for in Sections 2.5 and 2.9 of this ITN which was published to the Vendor Bid System (VBS) on June 1, 2016. The VBS can be accessed at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

The purpose of the Reply Opening and Review of Mandatory Requirements is to ensure prospective Vendors have complied with all Mandatory Requirements as required in Section 5.2 in order to be considered for selection under this ITN.

A copy of the agenda may be obtained by contacting: David.Draper@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Pamela Thornton, email: Pamela_Thornton@myflfamilies.com or (850)717-4567. 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: David.Draper@myflfamilies.com.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

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

DATE AND TIME: Wednesday, August 10, 2016, 5:30 p.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Stroll 'n' Roll committee event planning meeting.

A copy of the agenda may be obtained by contacting: Brittany Pilcher, (407)623-1070 or blara@cilorlando.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 5 days before the workshop/meeting by contacting: Brittany Pilcher, (407)623-1070 or blara@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brittany Pilcher, (407)623-1070 or blara@cilorlando.org.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Reinsurance Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 19, 2016, 11:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 for information on how to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda topics may include the 2017 reinsurance goals & market strategy, reinsurer intermediary engagement, reinsurer ratings, and commutation matters.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Rates & Forms Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 30, 2016, 2:00 p.m., ET

PLACE: Contact Kathy Coyne at (941)378-7408 to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda topics may include a legislative update; premium level indication; actuarial services engagement; Subplan D; Operations Manual; and review of rates, rating plans & policy forms and associated matters to include application forms.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 6, 2016, 11:00 a.m., ET

PLACE: Contact Kathy Coyne, (941)378-7408, for information on how to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda topics may include the preliminary 2017 Business Plan & Forecast, policy administration/managed care services engagement, collection services engagement, service provider audit results, disaster recovery matters, and a report on operations.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

RULE NOS.:RULE TITLES:

33-601.713 Inmate Visiting - Definitions

33-601.714 Inmate Visiting - General

33-601.721 Visiting Operations

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Juan Hernandez, DC# 732285. The petition seeks the agency's opinion as to the applicability of Rules 33-601.713, 33-601.714, and subsection 33-601.721(9), F.A.C., as they apply to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of Rules 33-601.713, 33-601.714, and subsection 33-601.721(9), Florida Administrative Code, regarding visitation.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: Paul Vazquez, Assistant General Counsel, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has declined to rule on the petition for declaratory statement filed by Bay District Schools on March 03, 2016. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 42, No. 54, of the March 18, 2016, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on May 6, 2016. The Petitioner is requesting the Board's interpretation of Section 486.021(11)(a), Florida Statutes, regarding as to when the 21-day period (now 30-day period as of March 23, 2016, pursuant to SB450) begins for physical therapy treatment without physician referral. The Board's Order, filed on June 9, 2016, declines to issue a Declaratory Statement. The Board

determined that Section 476.021(11)(a), Florida Statutes, is clear as written regarding the 30 days of treatment.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA_Physical Therapy@doh.state.fl.us.

Please refer all comments to: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA_Physical Therapy@doh.state.fl.us.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF TRANSPORTATION

Proposed Airport Site Approval Order for IRC SO Aviation Facility

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

IRC SO Aviation Facility, a private airport, in Indian River County, at Latitude 27° 39' 58" and Longitude 80° 25' 30", to be owned and operated by Indian River County Sheriff's Office, 4055 41st Avenue Vero Beach, FL 32960.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4514; aviation.fdot@dot.state.fl.us.

Website:

<http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

Notice of Emergency Action

On July 27, 2016, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Anthony Cirruzzo, R.C.A., License # RCA 6765. This Emergency Suspension 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.

DEPARTMENT OF HEALTH

Board of Massage Therapy

Notice of Emergency Action

On July 27, 2016, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Murtagh Declan Meyler, L.M.T., License # MA 80938. 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.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On July 27, 2016, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Guillermo Juan Delgado, R.P.T., License # RPT 34777. This Emergency Suspension 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.

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

Florida Clerks of Court Operations Corporation

Pursuant to Section 121.055, Florida Statutes, the Florida Clerks of Court Operations Corporation (CCOC) provides public notice of the intent to include the following position in the Florida Retirement System’s Senior Management Service Class effective September 1, 2016: Budget and Communications Director. Additional information may be obtained by writing to the Florida Clerks of Court Operations Corporation, Attn: Mary Baker, 2560-102 Barrington Circle, Tallahassee, Florida 32308.

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.