

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NOS.:	RULE TITLE:
5H-17.002	Definitions
5H-17.003	Adoption of the Florida Agricultural Promotional Campaign Identifiers
5H-17.004	Use of the Identifiers; Deposit of Funds
5H-17.005	Participant Registration; Application Forms; Classes of Membership
5H-17.006	Renewal
5H-17.007	Acquisition Procedures for Purchasing Services Directly Related to the Campaign

PURPOSE AND EFFECT: The purpose of this rulemaking is to substantially revise the Florida Agricultural Promotion Campaign to increase consumer awareness and expand the market for Florida agricultural products.

SUBJECT AREA TO BE ADDRESSED: Implementation of the Florida Agricultural Promotion Campaign

RULEMAKING AUTHORITY: 570.07(23), 571.24(9) FS.

LAW IMPLEMENTED: 571.23, 571.24, 571.25, 571.26, 571.29, 571.301 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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: Christopher Green, Assistant Director, Division of Marketing and Development, 407 South Calhoun Street, Tallahassee, FL 32399, Christopher.Green@FreshFromFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christopher Green, Assistant Director, Division of Marketing and Development, 407 South Calhoun Street, Tallahassee, FL 32399, Christopher.Green@FreshFromFlorida.com

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

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-23.010
RULE TITLE: Conditional Release Supervision
PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by those on conditional release. The effect is to make clear to those under supervision that firearm possession is not allowed.
SUBJECT AREA TO BE ADDRESSED: Conditional release supervision.
RULEMAKING AUTHORITY: 947.07, 947.20 FS.
LAW IMPLEMENTED: 947.1405, 947.141 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us

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

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-23.011
RULE TITLE: Revocation of Conditional Release
PURPOSE AND EFFECT: The purpose is to create a procedure for those who are out-of-state and want to waive a violation hearing. The effect will allow those on release to waive a revocation hearing out-of-state if approved by the commission.
SUBJECT AREA TO BE ADDRESSED: Conditional Release, Revocation.
RULEMAKING AUTHORITY: 947.07, 947.20 FS.
LAW IMPLEMENTED: 947.1405, 947.141 FS.

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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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-24.030 RULE TITLE: Conditions of Conditional Medical Release

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by those on conditional release. The effect is to make clear to those under supervision that firearm possession is not allowed.

SUBJECT AREA TO BE ADDRESSED: Conditional Medical Release.

RULEMAKING AUTHORITY: 947.07, 947.149 FS.

LAW IMPLEMENTED: 947.149 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-24.050 RULE TITLE: Revocation of Conditional Medical Release

PURPOSE AND EFFECT: The purpose is to create a procedure for those who are out-of-state and want to waive a violation hearing. The effect will allow those on release to waive a revocation hearing out-of-state if approved by the commission.

SUBJECT AREA TO BE ADDRESSED: Conditional Medical Release, Revocation.

RULEMAKING AUTHORITY: 947.07, 947.149 FS.

LAW IMPLEMENTED: 947.149 FS.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-25.004 RULE TITLE: Addiction Recovery Supervision

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by those on addiction recovery supervision. The effect is to make clear to those under supervision that firearm possession is not permitted.

SUBJECT AREA TO BE ADDRESSED: Addiction Recovery Supervision.

RULEMAKING AUTHORITY: 947.4731(8) FS.

LAW IMPLEMENTED: 944.4731, 947.141 FS.

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

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-25.005
 RULE TITLE: Revocation of Addiction Recovery Supervision

PURPOSE AND EFFECT: The purpose is to create a procedure for those who are out-of-state and want to waive a violation hearing. The effect will allow those on release to waive a revocation hearing out-of-state if approved by the commission.

SUBJECT AREA TO BE ADDRESSED: Addiction Recovery Supervision, Revocation..

RULEMAKING AUTHORITY: 944.4731(8) FS.

LAW IMPLEMENTED: 947.4731, 947.141 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us

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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.002
 RULE TITLE: Provider Reimbursement Schedules and Billing Codes

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.002 is to incorporate by reference the Florida Medicaid provider reimbursement schedules and billing codes. The amendment records effective dates for reimbursement schedules for certain Florida Medicaid services.

SUBJECT AREA TO BE ADDRESSED: Provider Reimbursement Schedules and Billing Codes.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.002, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: October 19, 2016 at 1:30 p.m. to 2:30 p.m.

PLACE: In Person: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

Remote Listeners: Register to view the presentation at <https://attendee.gotowebinar.com/register/734252043585729796>. A call in number will be provided upon successful registration through which remote attendees may listen to the discussion via telephone.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Monique Johnson, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4212, email: Monique.Johnson@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.002 Provider Reimbursement Schedules and Billing Codes.

(1) This rule applies to providers rendering Florida Medicaid services to recipients.

(2) Florida Medicaid reimburses for services rendered in the fee-for-service delivery system based on a fee schedule, cost report, or contract. The following fee schedules and billing codes are incorporated by reference and available on the Agency for Health Care Administration’s website at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

(3) Florida Medicaid Fee Schedules.

(a) Effective August 1, 2016:

1. Behavior Analysis Fee Schedule

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

2. Birth Center Fee Schedule

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

3. Licensed Midwife Fee Schedule

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

4. Practitioner Fee Schedule

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

(b) ~~(a)~~ Effective July 1, 2016: Private Duty Nursing Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06809>);

(c) Effective May 1, 2016:

1. Injectable Medications Fee Schedule Non-Oncology

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

2. Injectable Medications Fee Schedule Oncology

(https://www.flrules.org/Gateway/reference.asp?No=Ref-_____);

(d) ~~(b)~~ Effective January 1, 2016:

1. Assistive Care Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06810>);

2. Behavior Analysis Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06811>);

3. Birth Center Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06812>);

2. 4- Community-Based Substance Abuse County Match Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06813>);

3. 5- Dental General Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06814>);

4. 6- Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for All Medicaid Recipients

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06815>);

5. 7- Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for Medicaid Recipients Under the Age of 21 Years

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06816>);

6. 8- Hearing Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06817>);

7. 9- Independent Laboratory Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06818>);

10. Licensed Midwife Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06819>);

8. 11- Medicaid Certified School Match Program Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06820>);

9. 12- Occupational Therapy Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06821>);

10. 13- Physical Therapy Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06822>);

11. 14- Physician and Outpatient Laboratory Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06823>);

15. Practitioner Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06824>);

12. 16- Radiology Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06825>);

13. 17- Speech-Language Pathology Services Fee Schedule

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-06826>);

14. 18- Visual Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06827>;

(e) (e) Effective September 1, 2015:

1. Regional Perinatal Intensive Care Center (RPICC) Neonatal Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06828>;

2. Regional Perinatal Intensive Care Center (RPICC) Obstetrical Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06829>;

(f) (d) Effective August 1, 2015: Immunization Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06830>;

(g) (e) Effective January 1, 2015:

1. Advanced Registered Nurse Practitioner Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06831>;

2. Ambulatory Surgical Center Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06832>;

3. Behavioral Health Overlay Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06833>;

4. Child Health Services Targeted Case Management Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06834>;

5. Chiropractic Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06835>;

6. Community Behavioral Health Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06836>;

7. County Health Department Certified Match Program Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06837>;

8. Dental Injectables Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06838>;

9. Early Intervention Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06839>;

10. Emergency Transportation Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06840>;

11. Home Health Visit Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06841>;

12. Medical Foster Care Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06842>;

13. Mental Health Targeted Case Management Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06843>;

14. Optometric Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06844>;

15. Dental Oral and Maxillofacial Surgery Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06845>;

16. Outpatient Hospital Laboratory Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06846>;

17. Personal Care Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06847>;

18. Physician Anesthesia Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06848>;

19. Physician Assistant Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06849>;

20. Physician Evaluation and Management Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06850>;

21. Physician Medical Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06851>;

22. Physician Pediatric Surgery Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06852>;

23. Physician Radiology Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06853>;

24. Physician Surgical Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06854>;

25. Podiatry Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06855>;

26. Portable X-Ray Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06856>;

27. Prescribed Pediatric Extended Care Services Fee Schedule
<https://www.flrules.org/Gateway/reference.asp?No=Ref-06857>;

28. Registered Nurse First Assistant Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06858>);

29. Respiratory Therapy Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06859>);

30. Specialized Therapeutic Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06860>);

31. Targeted Case Management for Children at Risk of Abuse and Neglect Services Fee Schedule

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06861>);

(4) Florida Medicaid Billing Codes.

(a) Effective January 1, 2016:

1. County Health Department Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06862>);

2. Federally Qualified Health Center Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06863>);

3. Hospice Physician Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06864>);

4. Hospice Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06865>);

5. Rural Health Clinic Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06866>);

(b) Effective January 1, 2015:

1. Dental General Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06867>);

2. Hospital Outpatient Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06868>);

3. Intermediate Care Facility for Individuals with Intellectual Disabilities Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06869>);

4. Nursing Facility Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06870>);

5. Statewide Inpatient Psychiatric Program Services Billing Codes

<https://www.flrules.org/Gateway/reference.asp?No=Ref-06871>).

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08, 4-28-09, 2-11-10, 1-31-11, 7-16-13, 5-21-14, 6-20-16.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

RULE TITLE:

59G-6.005

Reimbursement Methodology for Services Provided by Medical School Faculty

PURPOSE AND EFFECT: The purpose of Rule 59G-6.005, Florida Administrative Code (F.A.C.), is to describe Florida Medicaid’s payment methodology for services provided to recipients by physicians and other licensed health care practitioners who are enrolled in the Florida Medicaid program and who are employed or contracted with a Florida public or private, non-profit, accredited medical, dental, or optometry school to teach.

SUBJECT AREA TO BE ADDRESSED: Reimbursement Methodology for Services Provided by Medical School Faculty. An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-6.005, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: October 20, 2016 from 11:00 a.m. to 12:00 p.m.

PLACE: In Person: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407. Remote Listeners: Register to view the presentation

at <https://attendee.gotowebinar.com/register/6593370287623976708>. A call number will be provided upon successful registration through which, remote attendees may listen to the discussion via telephone.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monique Johnson, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4212, email: Monique.Johnson@ahca.myflorida.com.

Official comments to be entered into the rule record will be received until 5:00 p.m. on October 21, 2016, and may be emailed to MedicaidRuleComments@ahca.myflorida.com.

For general inquiries and questions about the rule, please contact the person specified above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-6.005 Reimbursement Methodology for Services Provided by Medical School Faculty.

(1) This rule applies to all providers who are enrolled in Florida Medicaid who:

(a) Participate in the Centers for Medicare and Medicaid Services' Physician Quality Reporting Systems program.

(b) Provide medical services, immunization services, dental services, behavioral health services, hearing services, and vision services to Florida Medicaid recipients receiving services through the fee-for-service delivery system.

(c) Are employed by, or contracted with, a Florida public or private, non-profit, accredited medical, dental, or optometry school to provide supervision and teaching of medical, dental, or optometric students, residents, or fellows.

(2) Reimbursement.

(a) Florida Medicaid reimburses providers for covered medical, hearing, vision, immunization, dental, and behavioral health services listed on the applicable Florida Medicaid fee schedule, incorporated by reference in Rule 59G-4.002, F.A.C., at either:

1. One-hundred-ninety percent of the Medicare rate, based on Florida locality code 0910299, listed on the 2016 Medicare Part B physician fee schedule - Loc 99 (01/02), incorporated by reference, and available at http://medicare.fcso.com/Data_files and at [DOS place holder Ref-_____].

2. One-hundred-ninety percent of the Florida Medicaid rate if the service is not covered by Medicare.

(b) Florida Medicaid reimbursement to providers for clean claims submitted to the Florida Medicaid Management Information System specified in this rule shall not exceed \$27,863,458 for Fiscal Year 2016-2017.

(c) Florida Medicaid will reconcile claims reimbursed in accordance with this rule on a quarterly basis. Any claims reimbursed after the maximum reimbursable amount is reached will be recouped, or adjusted to the standard Florida Medicaid rate, as appropriate.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-37.002	Definitions
67-37.005	Local Housing Assistance Plans (LHAP)
67-37.006	Review of Local Housing Assistance Plans and Amendments
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.010	Local Affordable Housing Advisory Committees and Incentive Strategies
67-37.011	Interlocal Entities
67-37.019	Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds

PURPOSE AND EFFECT: This rule chapter establishes the procedures by which the Florida Housing Finance Corporation administers the State Housing Initiatives Partnership (SHIP) Program, which provides funds to local governments as an incentive to create partnerships to produce and preserve affordable housing. Revisions to the rule chapter are required to implement statutory, technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to program requirements as specified in Rule Chapter 67-37, Florida Administrative Code.

RULEMAKING AUTHORITY: 420.9072, FS.

LAW IMPLEMENTED: 420.907, 420.9072, 420.9075, 420.9076, FS.

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

DATE AND TIME: October 19, 2016 at 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

The workshop will be accessible via telephone and call-in information is posted to the Florida Housing Finance Corporation website

http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_ListPage.aspx?PageID=14

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: Kate Flemming at (850)488-4197 or corporationclerk@floridahousing.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Dearthuff, SHIP administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09533 Minimum School Term, Emergencies

PURPOSE AND EFFECT: Removes the obsolete subsection (2), that gives authority to the Commissioner of Education to reduce the 180-day school term by up to a maximum of three school days for one or more schools provided the scheduled net instructional time for the school year equals or exceeds 900 hours. With the promulgation of rule 6A-1.045111, F.A.C., a school district may deliver fewer than 180 days of instruction, provided students receive no fewer than 720 hours of instruction in kindergarten through grade 3, and 900 hours in grades 4-12, during the school year.

SUMMARY: Rule 6A-1.09533, F.A.C., is amended to remove an obsolete subsection. The amended rule maintains the Commissioner's authority to consider requests by district school boards to reduce the length of the school term in case of national, state or local emergencies only if no teacher planning days, excluding a maximum of three (3) planning days at the end of the school year, remain in the official school year calendar, and no school holidays, other than authorized national or state holidays, remain in the official school year calendar.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The amendment removes an obsolete subsection and will not have any impact on transactional costs, regulatory costs or the other factors set forth in Section 120.541(2), Florida Statutes, which are used to determine whether a SERC is needed and whether legislative ratification is required.

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

RULEMAKING AUTHORITY: 1001.02(1), 1011.60(2), FS.

LAW IMPLEMENTED: 1011.60(2), FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 26, 2016, 10:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09533 Minimum School Term, Emergencies.

The Commissioner of Education will consider written requests by district school boards to reduce the length of the school term in case of national, state or local emergencies pursuant to Section 1011.60(2), F.S., and Rule 6A-1.09533, F.A.C., with or without a proportionate reduction in funding, only if ~~one (1) of the following conditions exists:~~

~~(1) No teacher planning days, excluding a maximum of three (3) post-school planning days at the end of the school year, remain in the official school year calendar as approved by the district school board, and no school holidays, other than authorized national or state holidays, remain in the official school year calendar as approved by the district school board,;~~

~~(2) The Commissioner may reduce the school term up to a maximum of three (3) school days, for one (1) or more schools provided the net instructional time scheduled to be provided by a school for the school year as defined in Section 1011.60, F.S., minus the hours scheduled for each day classified as a national, state or local emergency, equals or exceeds nine~~

~~hundred (900) hours.~~

Rulemaking Authority 1001.02(1), 1011.60(2) FS. Law Implemented ~~120.53~~, 1011.60(2) FS. History—New 10-23-79, Formerly 6A-1.9533, Amended 7-5-88, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Finance and Operations.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 1, 2016

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-3.0141 Employment of School Bus Operators

PURPOSE AND EFFECT: School bus operator training occurs at the local level. This amendment removes the requirement for the Commissioner of Education to provide a certification for school bus operator training. The amendment also specifies that a person with a medical variance, exemption or waiver issued by the Federal Motor Carrier Safety Administration (FMCSA) be recognized as physically capable of operating a school bus.

SUMMARY: The proposed rule removes the requirement for the Commissioner of Education to provide a certification for school bus operator training and would allow medical exemptions to be recognized for persons with disabilities who are able to demonstrate that they can safely operate a school bus by obtaining a federal exemption issued by the FMCSA.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions to the rule establish that a person with a medical variance, exemption, or waiver from the Federal Motor Carrier Safety Administration may be recognized as physically capable of operating a school bus. Under the existing rule, this exception is not authorized and

such persons would be ineligible for employment as school bus operators in Florida. The number of individuals to whom this exception applies and the cost of obtaining a federal exemption is unknown, but is not expected to approach or exceed \$200,000 within one year after implementation of the rule and is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 316.615, 1001.02(1), 1006.22, FS.

LAW IMPLEMENTED: 316.615, 1006.22, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 26, 2016, 10:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-3.0141 Employment of School Bus Operators.

(1) School bus operators are defined as any persons employed or contracted to the school district to transport prekindergarten through grade 12 students in school buses as defined in Section 1006.25, F.S.

(2) No change.

(3) Prior to transporting students on a school bus each operator shall meet the following requirements:

(a) through (c) No change.

(d) Be physically capable of operating the vehicle as determined by physical examination, in accordance with 49 C.F.R. s. 391.41(b), as evidenced by the Medical Examiner's Certificate (Form MCSA-5876) and given by a certified medical examiner, registered with the National Registry of Certified Medical Examiners, pursuant to 49 C.F.R. s. 391.43 and as determined by a dexterity test administered by the school district. Form MCSA-5876 (effective March, 2016) is incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06476>) and may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The school district shall report dexterity results on Form ESE 480, Dexterity Test for School Bus Driver (<http://www.flrules.org/Gateway/reference.asp?No=Ref->

06477) (effective March, 2016), which is incorporated in this rule by reference. The medical examiner may not specify any waiver or exemption from the medical examination requirements; however, a person with a medical variance, exemption, or waiver from the physical qualification standards in 49 C.F.R. s. 391.41(b), issued by the Federal Motor Carrier Safety Administration who has complied with the medical examination requirements pursuant to 49 C.F.R. s. 391.41 and the dexterity requirements pursuant to Form ESE 480, Dexterity Test for School Bus Driver, is recognized as physically capable of operating the vehicle and no alternative physical qualification standards are recognized. Compliance with 49 C.F.R. Part 391 is required under Section 1012.45, F.S. Form ESE 480 This document may be obtained from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(e) No change.

~~(4) A certification of training provided by the Commissioner shall be issued by the district to each operator successfully completing the forty (40) hours of preservice training.~~

(4) ~~(5)~~ Each district school board shall obtain a driver's history record from the Department of Highway Safety and Motor Vehicles for each regular school bus operator, substitute operator, or any other individual certified to drive a school bus by the district. The schedule for reviewing these records shall be:

(a) through (c) No change.

(5) ~~(6)~~ Driver history records shall be requested in a manner prescribed by the Department of Highway Safety and Motor Vehicles using the Automated School Bus Driver's License Record Check System through the Department's data base. All school districts shall obtain and review records for school bus operators using the automated data base system. For any operator licensed in another state, the district shall obtain and review the driver's history record from the appropriate state.

(6) ~~(7)~~ Each school district shall establish a school board policy that specifies which infractions of the traffic code deem an applicant unqualified for employment and which causes any employee to be subject to a prescribed follow-up action. At a minimum, this policy shall state that any district school bus operator or contracted operator who should have known that his or her license has expired or has been suspended or revoked shall be subject to prescribed disciplinary measures up to and including dismissal by the school board.

(7) ~~(8)~~ At least annually, the school district shall assure that the operator of a school bus meets the following requirements:

(a) through (c) No change.

(8) ~~(9)~~ At the time of reemployment, the school board shall assure that each school bus operator meets all of the requirements of subsection (2) and paragraphs (3)(a) and (d) of this rule. If not more than a twelve continuous calendar month break in service has occurred, an operator shall be required to complete eight (8) hours of inservice training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator shall be required to successfully complete all of the requirements of subsections (2) through (6) of this rule.

(9) ~~(10)~~ All school bus operators shall be subject to the Federal requirements of 49 C.F.R., Parts 382 and 391 related to the substance abuse testing and alcohol detection program.

(10) Notwithstanding the requirements of paragraph (3)(d) of this rule, a school district may accept a Medical Examiner's Certificate that specifies a medical variance, waiver or exemption for a condition existing prior to March 23, 2016, if the school bus operator:

(a) Was employed by a school district on or before March 23, 2016;

(b) Was deemed physically capable of operating the vehicle under a prior version of this rule; and,

(c) Has demonstrated to the satisfaction of the school district that he or she is physically capable of operating the vehicle.

Rulemaking Authority 316.615(3), 1001.02(1), 1006.22, 1012.45 FS. Law Implemented 316.615, 1006.22, 1012.32(2)(a), 1012.45 FS. History—New 8-1-86, Amended 7-5-89, 11-15-94, 4-18-96, 6-24-03, 11-26-06, 4-25-07, 3-23-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 1, 2016

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0786 RULE TITLE: Forms for Charter School Applicants and Sponsors

PURPOSE AND EFFECT: Amend the Florida Standard Charter Contract (Form IEPC-SC) incorporated by reference to reflect changes made in section 1002.33, F.S.

SUMMARY: Florida Standard Charter Contract.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of a provision within this rule will not have any impact on transactional costs, regulatory costs or the other factors set forth in Section 120.541(2), Florida Statutes, which are used to determine whether a SERC is needed and whether legislative ratification will be required.

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

RULEMAKING AUTHORITY: 1002.33(28), FS.

LAW IMPLEMENTED: 1002.33, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 26, 2016, 10:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Charter Schools Director, Office of K-12 School Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400 or via email at Adam.Emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0786 Forms for Charter School Applicants and Sponsors.

(1) through (2) No change.

(3) Upon approval of a charter school application, the sponsor shall have thirty (30) days to propose an initial proposed charter contract to the charter school. The sponsor shall use Form IEPC-SC, Florida Standard Charter Contract, effective ~~November 2016~~ ~~December 2014~~,

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-04769>) as the basis for the initial draft contract. Proposed deletions to Form IEPC-SC must be displayed as strike-through text. Proposed additions to form IEPC-SC must be displayed as underlined text. The applicant and the sponsor have forty (40) days thereafter to negotiate and notice the charter contract for final approval by the sponsor unless both

parties agree to an extension. Additional components may be included in a charter school contract if mutually agreed upon by both parties. Form IEPC-SC is hereby incorporated by reference and may be obtained electronically on the Department’s website at <http://www.floridaschoolchoice.org> or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(4) through (6) No change.

Rulemaking Authority 1002.33(6), (28) FS. Law Implemented 1002.33(6), (21), 1002.331 FS. History—New 10-25-10, Amended 7-9-12, 12-23-14, 8-6-15, 2-9-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Adam Miller, Executive Director, Office of Independent Education and Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 8, 2016

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**

6A-20.028 Florida Bright Futures Scholarship Program.

PURPOSE AND EFFECT: Align the rule with sections 1009.531, 1009.532, 1009.534, 1009.535 and 1009.536, F.S., as amended by the 2016 Florida Legislature making it consistent with governing law.

SUMMARY: Expand public service assignment documentation to include the Request and Authorization for Temporary Duty Travel of Department of Defense Personnel. Replace “community service hours” with the phrase “volunteer hours.” Remove irrelevant references to home-educated and high school graduation from the GED portion of the rule. Refer to the Florida Board of Governors Regulation 6.002 and replace new Scholastic Aptitude Test (SAT) section titles. Incorporate the newly created Form RSOR-01, Religious or Service Obligation Reporting Form, for students engaged in religious or federal government service obligations. Remove outdated references to early admissions and 2011-12 reinstatement requirements; update references to the Private Schools Annual Survey.

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: No requirement for SERC was triggered under section 120.541(1), F.S., and based on past experiences with rules that affect student financial assistance programs, there will be no impact on small businesses, and the adverse impact or regulatory cost, if any, does not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. This amendment will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3), FS.

LAW IMPLEMENTED: 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 26, 2016, 10:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brian Underhill, Director, State Scholarships and Grants, Brian.Underhill@fldoe.org or (850)410-5185

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-20.028 Florida Bright Futures Scholarship Program.

(1) General eligibility requirements. To receive an initial or renewing Florida Bright Futures Scholarship Program award a student shall:

(a) Not have previously received a recognized baccalaureate degree. A degree is recognized if it is acceptable for purposes of transferring credits to a Bright Futures-eligible institution.

(b) Be enrolled in an eligible Florida postsecondary institution in a degree, certificate, or applied technology program of study.

(c) Be enrolled in a minimum of six (6) semester credit hours, or equivalent quarter or clock credit hours, per term.

(2) Military and public service assignment. For purposes of eligibility, in accordance with Section 1009.531(1)(b)2., F.S.:

(a) Military assignment is defined as active duty assignment, as defined in Section 250.01, F.S.

(b) Public service assignment is defined as the occupational assignment of a Florida resident employed by the United States Government or State of Florida, who as a condition of initial public service employment is relocated to work outside the State of Florida. A student whose parent or guardian is on public service assignment may reside with either a natural parent or another adult designated by either natural parent or guardian. Acceptable proofs of public service assignment are the Request Authorization for Department of Defense Civilian Permanent Duty or Temporary Change; (DD Form 1614) or Request and Authorization for Temporary Duty Travel of Department of Defense Personnel (DD Form 1610), and State of Legal Residence Certificate; (DD Form 2058). A copy of DD Form 1610, DD Form 1614, and DD Form 2058 may be obtained from the Department of Defense website at <http://www.dtic.mil/whs/directives/forms/index.htm>.

(3) Initial eligibility requirements.

(a) through (b) No change.

(c) For the purposes of initial eligibility, in accordance with Section 1009.531(1), F.S.:

1. A Florida public or private high school graduate, GED recipient, or home-educated student whose high school graduation date is no later than August 31 will be initially eligible for the fall term after the spring of the year of graduation.

2. The student must file the FFAA-1, Florida Financial Aid Application for Students, as incorporated by reference in Rule 6A-20.019, F.A.C., and meet all Bright Futures academic requirements provided in Florida Statutes. A copy of Form FFAA-1 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or online at <http://www.floridastudentfinancialaid.org/SSFAD/home/uama.in.htm>.

3. Students who intend to graduate high school mid-year must file the FFAA-1, Florida Financial Aid Application for Students, by the August 31 prior to the student's graduation, and meet all Bright Futures academic requirements provided in Florida Statutes. A mid-year high school graduate seventh semester evaluation includes completed spring coursework and grades, fall coursework in progress, ~~volunteer~~ ~~community~~ service hours, and test scores for test dates through the end of June. A mid-year high school graduate eighth semester evaluation includes all coursework and grades through fall semester of high school graduation, ~~volunteer~~ ~~community~~ service hours, and test scores for test dates through the end of

January and a graduation date from an official standard diploma or its equivalent.

4. A student's initial year of eligibility is defined as the first academic year immediately following high school graduation or its equivalent, whether funded or not.

(d) A home-educated student applying for a Florida Academic Scholars award under Section 1009.534, F.S., must complete ~~volunteer community~~ service hours that meet the following requirements during high school and by high school graduation:

1. ~~Volunteer Community~~ service hours may not be hours that benefitted the student financially or materially, or be service to family members defined as: parents, grandparents, siblings, aunts, uncles, cousins, nieces, nephews, and spouses, including aforementioned step relations.

2. The agencies where the ~~volunteer community~~ service hours were earned must provide on agency letterhead documentation of the number of hours and dates of service completed.

3. The documented hours must be submitted by the student's district where the student is registered for the 11th and 12th grades as a home-educated student.

(e) A candidate for initial eligibility for the scholarship may be evaluated following the seventh semester in high school based on his/her grade point average (GPA) in completed courses and in courses-in-progress. Courses-in-progress may include up to one (1) credit per required academic unit as outlined in subparagraph (3)(g)1. of this section, as specified in Rule 6A-1.09441, F.A.C. If this student is found eligible, the student will not be re-evaluated for the same award and will not lose the award unless the student does not earn a standard high school diploma or its equivalent from a Florida public or FDOE registered private high school, or has committed a felony as defined in paragraph (3)(b) of this rule. An eligible seventh semester student will be re-evaluated on an eighth semester final transcript to validate high school graduation with a standard diploma and only may improve his/her award if applicable upon eighth semester information.

(f) ~~GED and home-educated~~ candidates for initial eligibility for the scholarship may be evaluated ~~following the eighth semester in high school~~ based on a cumulative GPA in all required courses ~~that have been completed prior to GED testing or high school graduation~~, as specified in Rule 6A-1.09441, F.A.C.

(g) Initial Academic Criteria:

1. For the purposes of student eligibility, in accordance with Sections 1009.534(1)(a) and 1009.535(1)(a), F.S., coursework must include a minimum of four (4) credits in English, four (4) credits in mathematics, three (3) credits in science, three (3) credits in social science, and completion of

the foreign language component of the scholar designation pursuant to Section 1003.4285, F.S.

a. Required coursework, as listed in the Course Code Directory, as incorporated in Rule 6A-1.09441, F.A.C., and, therefore, approved by the State Board of Education for initial eligibility for the Florida Academic Scholars or Florida Medallion Scholars awards, includes the minimum college preparatory academic courses as required for state university system admissions and outlined in the Florida Board of Governors Regulation 6.002 Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen. A copy of the Florida Board of Governors Regulation 6.002 may be obtained online at <http://www.flbog.edu/about/regulations/regulations.php>.

~~Florida Counseling for Future Education Handbook ([http://www.flvc.org/flvc/portal/Home_Page/Advising_Manuals/Counseling_for_Future_Education_Handbook/!ut/p/e5/04-SB8K8xLLM9MSSzPy8xBz9CP0es3iDEEtPfx9TQwN3Sz8DA093C38_M19_A393E30_j_zcVP2CbEdFAEEoyeo!/">http://www.flvc.org/flvc/portal/Home_Page/Advising_Manuals/Counseling_for_Future_Education_Handbook/!ut/p/e5/04-SB8K8xLLM9MSSzPy8xBz9CP0es3iDEEtPfx9TQwN3Sz8DA093C38_M19_A393E30_j_zcVP2CbEdFAEEoyeo!/](http://www.flvc.org/flvc/portal/Home_Page/Advising_Manuals/Counseling_for_Future_Education_Handbook/!ut/p/e5/04-SB8K8xLLM9MSSzPy8xBz9CP0es3iDEEtPfx9TQwN3Sz8DA093C38_M19_A393E30_j_zcVP2CbEdFAEEoyeo!/)).~~

b. A student may use up to two (2) additional academic college preparatory course credits from the Course Code Directory, as incorporated in Rule 6A-1.09441, F.A.C., and/or from fine arts courses in Advanced Placement, International Baccalaureate, or Advanced International Certificate of Education programs to raise the GPA.

c. The GPA on a 4.0 scale shall be computed to two (2) decimals and shall not be rounded. Additional weighting is applied for all courses in level three (3) and above as outlined in the Course Code Directory.

d. A student must earn at least the minimum standardized Evidenced-based Reading and Writing Critical Reading and Math scores on the SAT ~~Reasoning Test or equivalent~~ combined composite, excluding the Essay writing section, or the minimum standardized scores on the ACT, either administered ~~at a national test site~~ by January 31 for seventh semester evaluation or by June 30 for eighth semester evaluation of the student's last year in high school, as identified for each award level specified in Section 1009.531(6), F.S. ACT scores are rounded up for scores with .5 and higher; SAT scores do not require rounding. Sections of the SAT or ACT from different test dates may be used to meet the test criteria, but test types cannot be mixed.

2. For purposes of meeting the requirements of a passing score on the college entry level placement test or its equivalent, in accordance with Section 1009.536, F.S., a student applying for the Florida Gold Seal Vocational Scholars award must earn at least the minimum qualifying subtest scores from the Florida Postsecondary Education Readiness Test (PERT), SAT, or ACT, as specified in Rule 6A-10.0315, F.A.C. Sections of the PERT, SAT, or ACT from

different test dates may be used to meet the test criteria, but test types cannot be mixed.

(h) For the purposes of student eligibility, in accordance with Section 1009.531(5), F.S., a student who wishes to qualify for any Bright Futures Scholarship award but does not meet all of the requirements may receive the award if the principal of the student's school or the district superintendent verifies on letterhead that deficiencies are due to school personnel providing inaccurate or incomplete information. The private high school may and the public school district shall allow the student to correct the deficiencies and the principal or school district will provide an updated high school transcript as necessary. The student is required to submit official postsecondary transcript(s) to the FDOE with any postsecondary coursework taken to satisfy deficiencies. The student must complete all requirements by December 31 of the student's high school graduation year.

(4) No change.

(5) Renewing Academic Criteria.

(a) through (c) No change.

(d) A student who engages in a full-time religious or federal government service obligation as referenced in Section 1009.531(2), F.S., and submits Form FFAA-3 by May 30 of the year the student is seeking funding must also provide documentation of the service obligation. The student must submit to the FDOE Form RSOR-01, Religious or Service Obligation Reporting Form, to document the service obligation from high school graduation through the date of the requested reinstatement year. Form RSOR-01 is hereby incorporated by reference (DOS link) and made a part of this rule to become effective November 2016. A copy of Form RSOR-01 and Form FFAA-3 may be obtained from the Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or online at <http://www.floridastudentfinancialaid.org/SSFAD/home/uama.in.htm>.

(e) ~~(d)~~ Academic eligibility criteria for a restored award shall be evaluated at the end of the summer or second semester/third quarter each academic year thereafter.

~~1. For the student who graduated high school in 2008-09 or earlier, an award may be restored for the student who has earned an insufficient GPA and/or insufficient hours. The student must submit Form FFAA 3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding. A student may earn and be funded in an eligible restored status one-time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree or certificate seeking student. The~~

~~institutional cumulative GPA and/or hours earned, as defined in paragraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.~~

~~1. 2-~~ For the student who graduated high school in 2009-10 and thereafter, the award may be restored for the student who has earned an insufficient GPA at the end of the first year of funding only. The student must submit Form FFAA-3, Florida Financial Aid Reinstatement/Restoration Application, as incorporated by reference in Rule 6A-20.027, F.A.C., by May 30 of the year the student is seeking funding, or by September 30 for a spring/summer student as outlined in paragraph (6)(c) of this rule. A student may earn and be funded in an eligible restored status one-time only. In addition to applying for restoration, the student is responsible for ensuring submission of verification from the last institution attended as a degree- or certificate-seeking student. The institutional cumulative GPA, as defined in paragraph (5)(b) of this rule, as reported by the last institution attended, will determine the student's eligibility to be restored based on the minimum academic program renewal requirements.

~~2. 3-~~ A Florida Medallion Scholar who initially was awarded as a Florida Academic Scholar who earns a GPA of 3.0 or above, may restore as a Florida Academic Scholar utilizing the one-time only restoration.

(6) No change.

(7) Program Length.

~~(a) The student who graduated from high school in 2011-12 and earlier must receive award funding in at least one (1) term within the first three (3) academic years following his/her high school graduation to be eligible for maximum program funding. The student who graduates from high school in 2012-13 and thereafter must receive award funding in at least one (1) term within the first two (2) academic years following his/her high school graduation to be eligible for maximum program funding.~~

(b) A student who graduated from high school in 2009-10 and earlier may receive funding up to seven (7) years from high school graduation or a first baccalaureate degree, whichever comes first. A student who graduates from high school in 2010-11 and thereafter may receive funding up to five (5) years from high school graduation or a first baccalaureate degree, whichever comes first.

~~(c) An early admission student under Section 1009.531(1)(b)1., F.S., repealed 2008, determined initially eligible prior to January 1, 2008, has seven (7) years from his or her initial eligible year to receive funding for the scholarship or a first baccalaureate degree, whichever comes first.~~

(c) ~~(d)~~ In accordance with Section 1009.5341, F.S., a Florida Academic Scholar or Florida Medallion Scholar who graduated in the 2010-11 academic year and thereafter and has earned a first baccalaureate degree within seven (7) semesters or 105 credit hours of funding, may receive Bright Futures funding for one (1) semester up to fifteen (15) of the student's unused semester or equivalent hours, at the undergraduate rate, for up to seven (7) or five (5) years after high school graduation, dependent upon his or her high school graduation year, if the student enrolls in a graduate degree program at a Bright Futures-eligible institution.

(8) Institutional responsibilities.

(a) through (c) No change.

(d) Florida public school districts shall:

1. Submit transcripts for all students in ninth through twelfth grade to the FDOE High School transcript database three (3) times a year in order to annually provide complete and accurate Florida Bright Futures Scholarship evaluation information.

2. Submit transcript, ~~volunteer community~~ service hours, and eligibility criteria data by deadlines established by the FDOE.

(e) Florida eligible non-public secondary schools must, in order to annually maintain eligibility to participate in the Florida Bright Futures Scholarship Program:

1. Register as a non-public high school via the Private Annual School Survey (<http://www.fldoe.org/schools/school-choice/private-schools/annual-survey.stml> ~~http://www.floridaschoolchoice.org/Information/Private_Schools/annual_survey_info.asp~~) with the FDOE.

2. Submit scholarship required courses, ~~volunteer community~~ service hours, and other eligibility criteria data as requested for all students in ninth through twelfth grades to the FDOE, via the Online Transcript Entry and Evaluation System (<http://www.floridastudentfinancialaid.org>).

Rulemaking Authority 1001.02(1), 1009.53(3) FS. Law Implemented 1009.40, 1009.42, 1009.43, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538 FS. History—New 5-10-12, Amended 1-1-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Finance and Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 28, 2016

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment incorporates the revised physician assistant licensure application which deletes the question regarding the applicant's place of birth.

SUMMARY: The proposed rule amendment incorporates the revised physician assistant licensure application form into the licensure rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013, 456.031(2), 456.033, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.003 Physician Assistant Licensure.

(1) Requirements for Licensure.

(a) All applicants for licensure as physician assistants shall apply on Form DH-MQA 2000, entitled “Physician Assistant Application for Licensure,” (revised 8/16 7/16), hereby adopted and incorporated by reference, and can be obtained from the website at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07166> or <http://flboardofmedicine.gov/licensing/physician-assistant-licensure/>.

(b) through (c) No change.

(2) through (4) No change.

Rulemaking Authority 456.013, 456.031(2), 456.033, 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05, 10-30-06, 2-25-07, 5-20-09, 2-2-10, 12-6-10, 1-27-13, 2-22-15, 7-27-16, .

NAME OF PERSON ORIGINATING PROPOSED RULE:

Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 13, 2016

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-6.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment incorporates the revised physician assistant licensure application which deletes the question regarding the applicant’s place of birth.

SUMMARY: The proposed rule amendment incorporates the revised physician assistant licensure application form into the licensure rule.

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

implementation of the rule. A SERC has not been prepared by the Agency.

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

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

RULEMAKING AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 459.022 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: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.003 Physician Assistant Licensure.

(1) Requirements for Licensure.

(a) All applicants for licensure as physician assistants shall apply on Form DH-MQA 2000, entitled “ Physician Assistant Application for Licensure,” (revised 8/16 7/16), hereby adopted and incorporated by reference, and can be obtained from the website at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07168> or <http://flboardofmedicine.gov/licensing/physician-assistant-licensure/>.

(b) through (c) No change.

(2) through (4) No change.

Rulemaking Authority 458.347(7), 459.005, 459.022 FS. Law Implemented 456.013, 456.031, 456.033, 459.022 FS. History—New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended

11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04, 10-30-06, 2-25-07, 5-20-09, 2-2-10, 12-6-10, 1-27-13, 2-22-15, 7-27-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 13, 2016

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-2.006 RULE TITLE: Restricted Species Endorsement
PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to address updates to the Physician Certification of Disability form for the Restricted Species Endorsement (RS) that is incorporated into Commission rules to reflect an updated, more user-friendly version developed by the Agency. The effect of the rule amendment would be streamlining the application process for both fishermen and staff, and allowing staff to continue to provide excellent customer service.
SUMMARY: This rule amendment would address updates to commercial saltwater licensing forms.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution
LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting November 16-17, 2016, 8:30 a.m. – 5:00 p.m.

PLACE: USF Student Center, 200 6th Avenue South, St. Petersburg, FL 33701

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-2.006 Restricted Species Endorsement.

- (1) through (3) No change
- (4) Exceptions from income requirements shall be as follows:
 - (a) through (f) No change
 - (g) Any resident who is certified to be totally and permanently disabled by the Railroad Retirement Board, by the United States Department of Veterans Affairs or its predecessor, by any branch of the United States Armed Forces, by the United States Social Security Administration, by a licensed physician on Commission Form DMF-SL1020 (10-16 02-15) (Physician Certification of Disability, found online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05213> and incorporated herein by reference), or for the purposes of workers’ compensation under Chapter 440, F.S., as verified by an order of a judge of compensation claims or written confirmation by the carrier providing workers’ compensation benefits, or who holds a valid identification card issued by the Department of Veterans’ Affairs pursuant to Section 295.17, F.S., upon proof of the same, shall be exempted from the income requirements if he or she also has held a saltwater products license for at least 3 of the last 5 license years before the date of the disability. A restricted species endorsement issued under this paragraph may be issued only on an individual saltwater products license.

(h) through (i) No change

Rulemaking Authority Article IV, Section 9, Florida Constitution.
Law Implemented Article IV, Section 9, Florida Constitution.
History—New 11-11-12, Amended 9-1-13, 10-16-14, 7-1-15,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2016

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-3.041
RULE TITLE: Repeal of St. Lucie County Special Acts of Local Application

PURPOSE AND EFFECT: The purpose of this proposed rule is to repeal a series of Special Acts of Local Application (Special Acts) for St. Lucie County. These Special Acts pre-date the statewide regulation of marine fisheries and were originally enacted by the Legislature as local fishing laws between 1919 and 1957. These Special Acts became rules of the Marine Fisheries Commission in 1983, and were then transferred to the Florida Fish and Wildlife Conservation Commission when the agency was created in 1999.

These Special Acts regulate spearfishing and skin diving or prohibit the use of certain nets or traps within specific areas of St. Lucie County that are either more restrictive or in conflict with more recent statewide regulations addressing the use of gear and management of marine species. This rulemaking is being conducted at the request of the St. Lucie County Board of County Commissioners.

The effect of this rule will be to remove a series of outdated or redundant local saltwater fishing rules and to conform the regulations applicable to St. Lucie County to statewide saltwater fishing rules, reducing confusion and improving the

clarity of Florida’s statewide saltwater fishing regulations. This rule will not conflict with existing federal management plans.

SUMMARY: This proposed rule would repeal a series of Special Acts of Local Application for St. Lucie County that regulate spearfishing and skin diving or prohibit the use of certain nets or traps within specific areas of St. Lucie County that are either more restrictive or in conflict with more recent statewide regulations addressing the use of gear and management of marine species. Removing these outdated or redundant local saltwater fishing regulations will allow consistent application of current statewide regulations, and will reduce confusion and improve the clarity of Florida’s statewide saltwater fishing regulations. This rulemaking is being conducted at the request of the St. Lucie County Board of County Commissioners.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting November 16-17, 2016, 8:30 a.m. to 5:00 p.m., each day.

PLACE: USF Student Center, 200 6th Avenue South, St. Petersburg, FL 33701

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-3.041 Repeal of St. Lucie County Special Acts of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of St. Lucie County Special Acts of Local Application, Chapter 8187, Laws of Florida (1919), Chapter 11118, Laws of Florida (1925), Chapter 31234, Laws of Florida (1955), and Chapter 57-1791, Laws of Florida, will not adversely affect the marine resources of St. Lucie County or of the State of Florida, therefore St. Lucie County Special Acts Chapter 8187, Laws of Florida (1919), Chapter 11118, Laws of Florida (1925), Chapter 31234, Laws of Florida (1955), and Chapter 57-1791, Laws of Florida (1957), are hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 3, 2016

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-13.010 Stone Crab Trap Limitation Program

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to address updates to the Stone Crab Trap Certificate Transfer Application form that is incorporated into Commission rules to reflect an updated, more user-friendly version developed by the Agency.

The effect of the proposed rule amendment would be streamlining the application process for both fishermen and staff, and allowing staff to continue to provide excellent customer service.

SUMMARY: This rule amendment would address updates to commercial saltwater licensing forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting November 16-17, 2016, 8:30 a.m. – 5:00 p.m.

PLACE: USF Student Center, 200 6th Avenue South, St. Petersburg, FL 33701

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-13.010 Stone Crab Trap Limitation Program.

(1) through (2) No change.

(3) CERTIFICATE TRANSFERABILITY AND PASSIVE REDUCTION. After initial issuance, trap certificates are transferable on a market basis and may be transferred for a fair market value agreed upon between the transferor and transferee.

(a) through (c) No change.

(d) Transfer of any certificates shall, within 72 hours thereof, be reported on either Commission Form DMF-SL3000a (10-1602-44) (Stone Crab Trap Certificate Transfer Application – Standard), found online at: <http://www.flrules.org/Gateway/reference.asop?No=Ref-00197>, or Commission Form DMF-SL3000b (10-16) (Stone Crab Trap Certificate Transfer Application – Immediate Family, found online at: <http://www.flrules.org>), incorporated herein by reference, which has been signed by both parties, notarized and hand delivered or sent by certified mail, return receipt requested, to the Commission for recording in the seller’s and purchaser’s trap certificate accounts. No transfer of any certificates will be effective, resulting in the issuance of transfer tags, until:

1. through 4. No change.

(e) through (k) No change.

(4) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History–New 7-1-00, Amended 7-22-01, 6-2-02, 7-1-03, 7-15-04, 7-13-08, 5-1-11, 7-1-11,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries

Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2016

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

PURPOSE AND EFFECT: At their September 2016 meeting, the Commission approved proposed rules for gray triggerfish to decrease the Atlantic recreational and commercial minimum size limits, as well as the statewide importation and sale minimum size limit, from 14 inches to 12 inches, and to establish a 10-fish recreational bag limit in Atlantic state waters. This would reverse a 2015 federal consistency action that increased the Atlantic recreational and commercial minimum size limit and the statewide sale and importation minimum size limit for gray triggerfish from 12 to 14 inches. In 2015, both the Commission and South Atlantic Fishery Management Council increased the minimum size limit prior to the release of a stock assessment at the request of stakeholders who were concerned about gray triggerfish.

Following the 2015 size limit increase, a member of the public brought forward concerns about the new minimum size limit and the lack of public comments on the action from fishermen in southeast Florida. Subsequent staff outreach to fishermen on the east coast and a review of recreational harvest data confirmed harvesters fishing in state waters south of Ponce Inlet catch large numbers of gray triggerfish, but few are over 12 inches in length. The 14-inch minimum size limit created large numbers of discarded fish. Stakeholder suggested a 14-inch minimum size limit was likely not appropriate for Florida state waters, especially in southeast Florida. Considering this new public input, the size limit increase may have been premature and not fully vetted. In response, the Commission decreased the minimum size limits back to 12 inches and implemented a 10-fish recreational bag limit in Atlantic state waters via Executive Order. The 10-fish recreational bag limit

was set as a conservation measure. Prior to this, there was no recreational bag limit for gray triggerfish in Atlantic state waters. The Executive Order was written to expire on October 31, 2016, so the Council and Commission could revisit gray triggerfish regulations following completion of a stock assessment in 2016. The assessment is now complete, but was rejected for use in informing management decisions. The purpose of the proposed rules is to implement the interim actions within the Executive Order as long-term management measures.

The effect of the proposed rules is to essentially keep in place the regulatory changes enacted by the Commission in 2015 via Executive Order. This would allow harvesters in southeast Florida to harvest Atlantic gray triggerfish in state waters, where 12-inch gray triggerfish can be caught but larger gray triggerfish are encountered less frequently. The 10-fish recreational bag limit is intended to help conserve gray triggerfish.

SUMMARY: These proposed rules would reduce the Atlantic recreational and commercial minimum size limits and the statewide importation and sale minimum size limit from 14 to 12 inches total length. The proposed rules would establish a 10-fish per person recreational bag limit for gray triggerfish in Atlantic state waters.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission's regular meeting November 16-17, 2016, 8:30 a.m. – 5:00 p.m., each day

PLACE: University of South Florida Student Center, 200 6th Avenue South, St. Petersburg, Florida 33701

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850) 488-9542. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.

No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

(1) through (2) No change.

(3) Gray triggerfish ~~14 inches (measured in terms of fork length) (Atlantic Ocean size limit consistent with the Federal Standards established in 50 C.F.R. §622.185(c)(2)(i) as of July 1, 2015).~~

(a) Gray triggerfish harvested in the Atlantic Ocean 12 inches.

(b) Gray triggerfish harvested in the Gulf of Mexico 14 inches.

(4) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 3-23-12, 6-10-13, 7-9-15, 1-4-16, 6-1-16, 7-1-16, 11-1-16.

68B-14.00355 Size Limits for Importation and Sale.

(1) No person shall possess for purposes of sale, purchase, sell, or exchange any of the following species of a length less than set forth as follows:

(a) through (b) No change.

(c) Gray triggerfish ~~14~~12 inches fork length ~~(Atlantic Ocean size limit consistent with the Federal Standards established in 50 C.F.R. §622.185(c)(2)(i) as of July 1, 2015).~~

(d) through (f) No change.

(2) through (4) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-03, Amended 9-16-05, 7-1-06, 7-1-07, 4-1-08, 8-27-09, 3-23-12, 7-9-15, 11-1-16.

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

- (1) through (7) No change.
- (8) Gray Triggerfish.

(a) Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters of the Gulf of Mexico nor possess in or on the state waters of the Gulf of Mexico more than two gray triggerfish at any time (consistent with the Federal Standard established in 50 C.F.R. §622.38(b)(5) as of June 10, 2013).

(b) Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters of the Atlantic Ocean nor possess in or on the state waters of the Atlantic Ocean more than 10 gray triggerfish at any time.

- (9) through (10) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 10-16-09, 1-19-10, 12-30-11, 7-1-12, 6-10-13(4), 6-10-13(8), 3-13-14, 5-7-15, 7-1-16, 11-1-16.

PROPOSED EFFECTIVE DATE: November 1, 2016

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 11, 2016

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE NO.: 68E-18.005
 RULE TITLE: Transfer of Certificates

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to address updates to the Spiny Lobster Trap Certificate Transfer Application form that is incorporated into Commission rules to reflect an updated, more user-friendly version developed by the Agency.

The effect of this proposed rule amendment will be streamlining the application process for both fishermen and staff, and allowing staff to continue to provide excellent customer service.

SUMMARY: This rule amendment would address updates to commercial saltwater licensing forms

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting November 16-17, 2016, 8:30 a.m. – 5:00 p.m.

PLACE: USF Student Center, 200 6th Avenue South, St. Petersburg, FL 33701

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68E-18.005 Transfer of Certificates.

(1) through (3) No change.

(4) All transfers must be submitted on a notarized copy of either Commission form FWC 20-173a (10-16 ~~02-14~~) (Spiny Lobster Trap Certificate Transfer Application - Standard, found online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00200>), or Commission form FWC 20-173b (10-16) (Spiny Lobster Trap Certificate Transfer Application - Immediate Family, found online at: <http://www.flrules.org>, and which are hereby incorporated by reference). No other form will be accepted. Both parties to the transfer must state the value paid and received for the certificates and list the tag audit numbers included in the transfer. Fraudulent statements of value paid or received for certificates by either the transferor or transferee will result in the denial of the transfer, and refer the matter to the appropriate authorities for other disposition.

(5) through (9) No change

Rulemaking Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 5-16-95, Amended 4-7-99, Formerly 62R-18.005, Amended 7-1-01, 7-15-04, 5-1-11,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2016

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:

- 69O-161.001 Purpose
- 69O-161.009 Form Availability
- 69O-161.010 Guidelines for Prior Authorization Forms
- 69O-161.011 Use of Prior Authorization Form

PURPOSE AND EFFECT: Pursuant to the rules of the Department of State, including Rule 1S-1.002(8)(a)1., F.A.C., the Financial Services Commission hereby summarizes the proposed action to Rule 69O-161.001,.009,.010,.011: Prior Authorization Forms: The rules adopt a standard prior authorization form and guidelines for all prior authorization forms.

SUMMARY: The statute requires the FSC to adopt the form and guidelines in consultation with the Agency for Health Care Administration. Improves the position of the Office in implementing the statutory mandate.

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: : Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 624.308(1), 627.647, 627.42392, FS.

LAW IMPLEMENTED: 624.307(1), 627.510(2), 627.647, 627.42392, FS.

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

DATE AND TIME: Thursday, October 27, 2016, 2:00 p.m.
PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shannon Doheny, Office of Insurance Regulation, E-mail Shannon.Doheny@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-161.001 Purpose

The purpose of this chapter is to establish uniform claim forms for claims relating to health insurance and industrial life insurance policies, to establish guidelines for all prior authorization forms which ensure the general uniformity of such forms, and to adopt a prior authorization form for use by health insurance issuers which do not provide an electronic prior authorization process for use by its contracted providers. Rulemaking Specific Authority 624.308(1), 627.647 FS. Law Implemented 624.307(1), 627.510(2), 627.647 FS. History—New 4-25-88, Formerly 4-74.001, Amended 6-8-94, Formerly 4-161.00, Amended _____.

69O-161.009 Form Availability.

All forms referenced in this rule chapter may be obtained at www.flor.com by writing to: Office of Insurance Regulation, Bureau of Life and Health Forms, Rates and Reserve Analysis, Larson Building, Tallahassee, Florida 32399-0328. Rulemaking Specific Authority 624.308(1), 627.647 FS. Law Implemented 624.307(1), 627.510(2), 627.647 FS. History—New 6-8-94, Formerly 4-161.009, Amended _____.

69O-161.010 Guidelines for Prior Authorization Forms

(1) Scope: This rule applies to all insurance companies, health maintenance organizations, and managed care entities authorized to write health insurance in Florida.

(2) Definitions: As used in this rule:

a. “Issuer” means an authorized insurer offering health insurance as defined in Section 624.603, F.S., a managed care plan as defined in Section 409.962(9), F.S., or a health maintenance organization as defined in Section 641.19(12) F.S.

b. “Utilization review entity” means any person that performs prior authorization for an issuer.

c. “Person” has the same meaning as defined in Section 624.04, F.S.

d. “Prior authorization” means any practice implemented by an issuer or utilization review entity in which coverage of a health care service, device, or drug is dependent upon a covered person or health care practitioner obtaining approval from the issuer or utilization review entity prior to the service, device, or drug being performed, received, or prescribed, as applicable. “Prior authorization” includes prospective or utilization review procedures conducted prior to providing a health care service, device, or drug.

(3) All prior authorization forms must provide for the following information:

a. Sufficient information to identify the covered person, including the covered person’s date of birth, full name, and health plan identification number.

b. Sufficient information to identify the ordering provider, including the provider’s name, National Provider Identification number, and the provider’s contact information.

c. Sufficient information to identify the rendering provider, including the name of the rendering provider, provider group, or facility, corresponding National Provider Identification number, and the rendering provider’s contact information.

d. Sufficient information to identify and contact the rendering facility, if different from c.

e. Where the service or procedure will be performed, if different from c. or d.

f. The health care service being requested, including the medical reason therefore.

g. The unit or volume of the procedure, service, or device being requested when applicable.

h. All services tried, failed, or shown to be ineffective.

i. A list of any additional documentation required by the issuer or utilization review entity to complete its review of the prior authorization request.

j. The priority of the prior authorization request. At a minimum, the prior authorization form shall contain the following designations:

i. Standard.

ii. Date of Service, which should include a space for the planned date of a service.

iii. Urgent or Emergency, to be used when the provider certifies that applying the standard review time frame may seriously jeopardize the life or health of the patient.

k. The latest International Classification of Disease primary diagnosis code.

l. An attestation or certification that all information provided is true and accurate.

m. Any other information required to determine or facilitate the determination of the medical necessity of the

requested medical procedure, course of treatment, or prescription drug benefit.

(4) All prior authorization forms must contain information where a provider may find a health insurance issuer's step therapy or fail first protocol requirements and quantity limits for all services subject to prior authorization.

(5) The prior authorization form must contain the direct contact information for the utilization review entity.

(6) The prior authorization form may not require information that is not needed to make a determination or facilitate a determination of medical necessity of the requested medical procedure, course of treatment, or prescription drug benefit.

(7) Disclosure and review of prior authorization requirements.

(a) A utilization review entity or issuer shall make any current prior authorization requirements, restrictions and forms readily accessible on its website and in written or electronic form upon request for beneficiaries, health care providers, and the general public. Requirements shall be described in detail but also in clear, easily-understandable language. Clinical criteria shall be described in language easily understandable by a health care provider.

(b) If a utilization review entity or issuer intends either to implement a new prior authorization requirement or restriction, or amend an existing requirement or restriction, the utilization review entity shall ensure that the new or amended requirement is not implemented unless the utilization review entity's website has been updated to reflect the new or amended requirement or restriction. This shall not extend to expansion of coverage for new health care services.

(c) If a utilization review entity or issuer intends either to implement a new prior authorization requirement or restriction, or amend an existing requirement or restriction, the utilization review entity shall provide beneficiaries who are currently using the affected health care service and all contracted health care physicians who provide affected health care service or services of written notice of the new or amended requirement or amendment no less than 60 days before the requirement or restriction is implemented. Such notice may be delivered electronically or by other means as agreed to by the receiving entity.

Rulemaking Authority 624.308(1), 627.42392 FS. Law Implemented 624.307(1), 627.42392 FS. History--New _____.

690-161.011 Use of Prior Authorization Form

All authorized insurers offering health insurance as defined in Section 624.603, F.S., managed care plans as defined in Section 409.962(9), F.S., and health maintenance organizations as defined in Section 641.19(12), F.S., which do not provide an electronic prior authorization process for use by

its contracted providers shall use only the Prior Authorization Form (OIR Form OIR-B2-2180) (**/**) which is hereby incorporated and made part of this rule chapter by reference. Rulemaking Authority 624.308(1), 627.42392 FS. Law Implemented 624.307(1), 627.42392, FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shannon Doheny, Office of Insurance Regulation, E-mail:
Shannon.Doheny@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: THE FINANCIAL SERVICES COMMISSION

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 8, 2016

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-2.002 RULE TITLE: Probable Cause Panel
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. 176, September 9, 2016 issue of the Florida Administrative Register.

The changes are in response to public comments submitted, discussion and subsequent vote by the board at a public meeting held September 21, 2016. The changes are as follows:

61G7-2.002 Probable Cause Panel

(1) No change.

(2) Notwithstanding subsection (1), when the chairman is unable to appoint a probable cause panel, the board delegates to the department the authority to determine whether probable cause exists.

Rulemaking Authority 455.225(4), 468.522 FS. Law Implemented 455.225(4), 455.227(1), 468.532(1) FS. History--New 4-29-92, Formerly 21EE-2.002, Amended 2-12-98, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-780.900 Forms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 182, September 19, 2016 issue of the Florida Administrative Register. The correction is in response to verbal comments from the Joint Administration Procedures Committee on September 21, 2016. The listing of rules in the Department of Environmental Protection’s Notice of Proposed Rule for Chapter 62-780 F.A.C. is amended to include 62-780.900 because the tables following the forms are also proposed for revision. The proposed revisions were included in their entirety in the Notice of Proposed Rule published on September 19, 2016.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
64B1-4.0011 Documentation Necessary for Licensure Application

NOTICE OF PUBLIC HEARING

The Board of Acupuncture announces a change of hearing regarding the above rule, as noticed in Vol. 42 No. 125, June 28, 2016 Florida Administrative Register.

DATE AND TIME: October 28, 2016, 10:00 a.m. or as soon thereafter as can be heard. (Prior noticed hearing of September 9, 2016 and September 30, 2016 were cancelled due to lack of quorum.)

PLACE: Telephone conference number: 1(888)670-3525, participation code: 6656186923.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule and application.

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: 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

Economic Self-Sufficiency Program

RULE NOS.: RULE TITLES:
65A-1.704 Family-Related Medicaid Eligibility Determination Process
65A-1.707 Family-Related Medicaid Income and Resource Criteria
65A-1.708 Family-Related Medicaid Budgeting Criteria

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 50, March 14, 2016 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NOS.: RULE TITLES:
73B-3.001 Definitions
73B-3.002 Displaced Homemaker Program Service Provider Application

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 125, June 28, 2016 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: RULE TITLE:
2ER16-1 Addition of U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) To Schedule I, Subsection 893.03(1)(a), F.S.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: In written findings published on the date this emergency rule was filed with the Secretary of State’s Office, Attorney General Bondi has found that there is a need to immediately place the above-mentioned substance classifiable as a synthetic opioid under Schedule I, Subsection 893.03(1)(a), F.S., in order to curtail their abuse by Florida’s children, young adults, and others. These circumstances present an immediate and imminent hazard to the public health, safety, and welfare which requires emergency action. In addition, the Attorney General has found that the above-mentioned compounds meet the statutory criteria for placement as a controlled substance in Schedule I, Subsection 893.03(1)(a), F.S.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The above-mentioned compound presents an immediate and imminent hazard to the public health, safety, and welfare which requires emergency action. The Attorney General will ask the Florida Legislature to memorialize this action through legislation in its 2017 legislative session. A copy of the Attorney General’s findings in support of this emergency rule may be obtained by contacting the Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; (850)245-0145.

SUMMARY OF THE RULE: The proposed emergency rule adds U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) to Schedule I, Subsection 893.03(1)(a), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Andrew J. Benard, Assistant Deputy Attorney General and Special Counsel, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE EMERGENCY RULE IS:

2ER16-1 Addition of U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) To Schedule I, Subsection 893.03(1)(a), F.S.

(1) Under the authority of Section 893.035, F.S., the following substance is hereby added to Schedule I, subsection 893.03(1)(a), F.S.: U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide).

(2) All provisions of Chapter 893, F.S., applicable to controlled substances listed in Schedule I shall be applicable to the substance listed in subsections (1) above.

Rulemaking Authority: 893.035 FS. Law Implemented: 893.035 FS. History – New

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On September 1, 2016, the 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 Heavenly Taste, Inc. located in Largo. 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 Petition for this variance was published in Vol. 42/175 on September 8, 2016. The Order for this Petition was signed and approved on September 27, 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 bathrooms located within Hair Authority (12640 Wilcox Rd., Largo, FL 33774), are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Heavenly Taste, Inc. and/or Hair Authority (Solomon Davis) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 26, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Wellington G Condominium at 220 Wellington G, West Palm Beach, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.4.4 as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires top of car emergency exit which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2016-225).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 26, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for LaNapolera Restaurant at 1440 Hendricks Ave, Jacksonville, FL. Petitioner seeks an emergency variance of the requirements of ASME A18.1, Section 2.1.2.8, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires minimum head clearance which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2016-226).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, chr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy hereby gives notice:

The petition filed by Tanya Miller on July 25, 2016, seeking a variance or waiver of paragraph 61H1-27.002(2)(a), Florida Administrative Code, has been withdrawn. The notice of Petition was published in Vol. 42, No. 152 of the July 25, 2016 issue of the Florida Administrative Register.

A copy of the Order or additional information may be obtained by contacting: A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Executive Director, (352)333-2505.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on September 21, 2016, the Board of Accountancy, received a petition for variance or waiver filed by Simon Owi, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period,

which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board hereby gives notice: That the Petition filed by John C. Gibilaro on August 15, 2016, seeking a variance or waiver of 61J1-4.010(1)(b)(c), F.A.C., has been withdrawn. The Notice of Petition was published in Vol. 42, No. 166 of the August 25, 2016, issue of the Florida Administrative Register.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801, (850)487-1395 or by electronic mail - Juana.Watkins@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

NOTICE IS HEREBY GIVEN that on September 20, 2016, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Williamarena. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(3)(a), Option 3a, Florida Administrative Code, which sets forth the education, training/experience and examination requirements for licensure as a supervisor.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

NOTICE IS HEREBY GIVEN that on September 19, 2016, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Clifford Michael Morris. Petitioner is seeking a variance or waiver of paragraph 64B3-5.003(3)(a), Option 1, Florida Administrative Code, which

sets forth the education, training/experience and examination requirements for a specialty licensure as a technologist.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Ziad El-Hajjaoui, M.D., on August 29, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 170, of the Florida Administrative Register, on August 31, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Emeka Michael Eziri, M.D., on August 25, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 169, of the Florida Administrative Register, on August 30, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Mohan Ys, M.D., on August 19, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 163, of the Florida Administrative Register, on August 22, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Ibrahim M. Aref, M.D., on August 26, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 169, of the Florida Administrative Register, on August 30, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Sameh Mahmoud Mohamed Said, M.D., on July 19, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 140, of the Florida Administrative Register, on July 20, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Hani R. Douedi, M.D., on July 27, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 42, No. 150, of the Florida Administrative Register, on August 3, 2016. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The State Advisory Committee for the Education of Exceptional Students Subgroup on legal research announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2016, 10:00 a.m.

PLACE: 1(888)670-3525, passcode: 8006155226

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Exploration and discussion of information pertaining to students with disabilities transfer of rights and related parental rights.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399-0400, (850)245-0475.

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 28 days before the workshop/meeting by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399-0400, (850)245-0475. 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

Suwannee River Water Management District

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

DATE AND TIME: Tuesday, October 11, 2016, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Governing Board Meeting, Public Hearing and Committee Meetings. Consider Suwannee River Water Management District business.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website: www.mysuwanneeriver.com, when published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 2 days before the workshop/meeting by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only). 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, Agricultural Cost Share Project Selection Panel announces a public meeting to which all persons are invited.

DATES AND TIMES: October 5 and 6, 2016, 9:00 a.m.

PLACE: 601 South Lake Destiny, Suite 200, Maitland, Florida 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Discussion of agricultural cost share projects and project ranking.

A copy of the agenda may be obtained by contacting: Suzanne Archer, (407)215-1450 or sarcher@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 5 days before the workshop/meeting by contacting: Suzanne Archer, (407)215-1450. 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

Division of Purchasing

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

DATE AND TIME: Monday, October 10, 2016, 2:00 p.m., ET

PLACE: Conference Room 360K, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

Webinar Information:

<https://global.gotomeeting.com/join/569130253>

Call in number: 1(877)309-2070

Participant Code: 569-130-253

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, My Florida Market Place (MFMP) Training Event (NON-MANDATORY) is hereby noticed within the timeline for the Invitation to Bid (ITB) No. 22-44102100-Z. 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 will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Katherine Ajmeri at (850)921-0030, Katherine.ajmeri@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Katherine Ajmeri at (850)921-0030, Katherine.ajmeri@dms.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: Katherine Ajmeri at (850)921-0030, Katherine.ajmeri@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

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

DATE AND TIME: November 15, 2016, 10:00 a.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. 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: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Board of Building Code Administrators and Inspectors announces a workshop to which all persons are invited.

DATE AND TIME: October 20, 2016, 9:00 a.m., Eastern Time

PLACE: Floridays Resort Orlando, 12562 International Drive, Orlando, Florida 32821, Telephone Number: (407)238-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61G19-6.017 - One and Two Family Dwelling Inspector Certification.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Board of Building Code Administrators and Inspectors, 2601 Blairstone Road, Tallahassee, FL 32399-0790, (850)717-1980 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Board of Building Code Administrators and Inspectors announces a workshop to which all persons are invited.

DATE AND TIME: October 20, 2016, 9:00 a.m., Eastern Time

PLACE: Floridays Resort Orlando, 12562 International Drive, Orlando, Florida 32821, Telephone Number: (407)238-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61G19-9.004 - Approval of Courses.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Board of Building Code Administrators and Inspectors, 2601 Blairstone Road, Tallahassee, FL 32399-0790, (850)717-1980 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Board of Building Code Administrators and Inspectors announces a workshop to which all persons are invited.

DATE AND TIME: October 20, 2016, 9:00 a.m., Eastern Time

PLACE: Floridays Resort Orlando, 12562 International Drive, Orlando, Florida 32821, Telephone Number: (407)238-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Standards related to providers of programs outlined in the following rules.

61G19-7.001, 61G19-7.0015, 61G19-7.002, 61G19-7.004, 61G19-7.006, 61G19-7.007, 61G19-7.008, 61G19-7.009 and 61G19-7.010

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Board of Building Code Administrators and Inspectors, 2601 Blairstone Road, Tallahassee, FL 32399-0790, (850)717-1980 or by electronic mail: Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF HEALTH

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 2, 2016, 9:00 a.m.

PLACE: Telephone conference number: 1(888)670-3525 participant code: 2922384719#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) Conference call agenda items.

A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444, ext. 3591

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444, ext. 3591. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)245-4444, ext. 3591.

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: (UPDATED) THIS MEETING HAS BEEN CANCELLED FOR September 30, 2016, 9:00 a.m.

PLACE: (UPDATED) THIS MEETING HAS BEEN CANCELLED Telephone conference number: 1(888)670-3525, participant code: 6656186923

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

A copy of the agenda may be obtained by contacting: Amber Greene at Amber.Greene@flhealth.gov or on the Board website at www.floridasacupuncture.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: Amber Greene at Amber.Greene@flhealth.gov or on the Board website at www.floridasacupuncture.gov/meeting-information. 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: Amber Greene at Amber.Greene@flhealth.gov or on the Board website at www.floridasacupuncture.gov/meeting-information.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

The Substance Abuse & Mental Health Program Office announces a hearing to which all persons are invited.

DATE AND TIME: October 5, 2016, 10:00 a.m. – 12:00 Noon

PLACE: Community room 0f the Sunshine Bank located at 3340 South Florida Avenue, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Center wishes to add 20 Baker Act beds at the new construction unit, located at 715 N. Lake Avenue, Lakeland, FL 33801.

A copy of the agenda may be obtained by contacting: DBlackwelder@peacrivercenter.org, (863)519-0575, Ext. 6497.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

DATE AND TIME: October 18, 2016, 9:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future execution and delivery of a tax-exempt note by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Hickory Knoll, a 96-unit multifamily residential rental development located at 507 NE 22nd Avenue, Ocala, Marion County, FL. The owner and operator of the development is SP HK Apartments LLC, 5403 West Gray Street, Tampa, FL 33609 or such successor in interest in which SP HK Apartments LLC, or an affiliate thereof, is a managing

member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc. dba Cambridge Management of Washington, Inc., 5403 West Gray Street, Tampa, FL 33609. The tax-exempt note amount is not to exceed \$7,700,000.00.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential note execution and delivery for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), October 17, 2016, and should be addressed to the attention of Brantley Henderson, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Brantley Henderson, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: Brantley Henderson, Assistant Director of Multifamily Programs.

For more information, you may contact: Brantley Henderson, Assistant Director of Multifamily Programs.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

DATE AND TIME: October 18, 2016, 9:30 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future execution and delivery of a tax-exempt note by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily

residential rental development in the aggregate face amount, not to exceed the amount listed below:

Park at Wellington II, a 110-unit multifamily residential rental development to be located at 4205 Jordana Way, Holiday, Pasco County, FL. The owner and operator of the development is HTG Wellington II, LLC, 3225 Aviation Avenue, Suite 602, Coconut Grove, FL 33133 or such successor in interest in which HTG Wellington II, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is HTG Management, LLC, 3225 Aviation Avenue, Suite 602, Coconut Grove, FL 33133. The tax-exempt note amount is not to exceed \$11,660,000.00.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential note execution and delivery for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), October 17, 2016, and should be addressed to the attention of Brantley Henderson, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Brantley Henderson, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

For a copy of the agenda or more information, you may contact: Brantley Henderson, Assistant Director of Multifamily Programs.

SUNSHINE STATE ONE CALL OF FLORIDA

The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a public meeting to which all persons are invited.

DATE AND TIME: Executive Committee Meeting
Thursday, October 13, 2016, 10:00 a.m. – 12:00 Noon

PLACE: This meeting will be held by teleconference
 To participate, call 1(888)670-3525 and enter Participant
 passcode: 8567463178 then #
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Purpose: To develop the agenda for the November 17 & 18,
 2016 Committee, and Board of Directors meetings.
 For more information, you may contact: Executive Assistant:
 (386)575-2002.

HNTB**NOTICE OF PUBLIC HEARING:**

This notice has nothing to do with any rule or rulemaking
 process.

The Florida Department of Transportation (FDOT), District
 Five announces a public hearing to which all persons are
 invited.

DATE AND TIME: Thursday, October 6, 2016, 5:30 p.m. –
 7:30 p.m., Formal Presentation, 6:00 p.m.

PLACE: Deltona City Hall, Commission Chambers, 2345
 Providence Boulevard, Deltona, FL 32725

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project I.D.: 432100-1-22-01

Design Project ID Number: 408464-2-32-01

Federal Aid Project No: 0041-227-I

Project Description: “I-4 Beyond the Ultimate”, from East of
 US 17/92 to East of SR 472 in Volusia County

The Florida Department of Transportation (FDOT) is
 conducting a public hearing for the “I-4 Beyond the Ultimate”
 PD&E Study. We will present the recommended design
 alternative for adding express lanes on the segment of
 Interstate 4 (I-4) from East of US 17/92 to East of State Road
 (SR) 472 in Volusia County. This hearing is being conducted
 to give interested persons an opportunity to express their
 views concerning the location, conceptual design, and social,
 economic, and environmental effects of the proposed
 improvements.

The hearing will be Thursday, October 6, 2016, from 5:30
 p.m. to 7:30 p.m. at Deltona City Hall, Commission
 Chambers, located at 2345 Providence Boulevard, Deltona, FL
 32725. It will begin as an open house at 5:30 p.m. with a
 formal presentation at 6:00 p.m., followed by a public
 comment period. At the conclusion of the presentation,
 attendees who complete a speaker’s card will be given the
 opportunity to make an oral statement that will become part of
 the public hearing record.

Persons wishing to submit written statements, in place of or in
 addition to oral statements, may do so at the hearing or by
 sending them to: Beata Stys-Palasz, P.E., at 719 South
 Woodland Boulevard, DeLand, Florida 32720, by phone
 (386)943-5418, or by email to beata.stys-palasz@dot.state.fl.us. All statements postmarked no later than

October 17, 2016 will become a part of the public hearing
 record.

The draft environmental and engineering reports developed by
 the Department will be available for public review starting on
 September 15, 2016 through October 16, 2016 at the Deltona
 Regional Library, located at 2150 Eustace Avenue, Deltona,
 FL 32725. The documents are also available for download on
 the study website, www.i4express.com, and will be available
 at the public hearing.

Pursuant to the provisions of the Americans with Disabilities
 Act, any person requiring special accommodations to
 participate in this hearing is asked to advise the agency at least
 seven (7) days before the hearing by contacting: Ms. Beata
 Stys-Palasz, P.E. at (386)943-5418. If you are hearing or
 speech impaired, please contact the agency using the Florida
 Relay Services, 1(800)955-8771 (TDD) or 1(800) 955-8770
 (Voice).

Public participation is solicited without regard to race, color,
 national origin, age, sex, religion, disability or family status.
 Persons wishing to express their concerns relative to FDOT
 compliance with Title VI may do so by contacting: Jennifer
 Smith, FDOT District Five Title VI Coordinator by phone at
 (386)943-5367, or via email at jennifer.smith2@dot.state.fl.us.
 Persons who require translation services (free of charge)
 should contact: Ms. Beata Stys-Palasz, PE, at (386)943-5418
 at least seven (7) days before the hearing.

A copy of the agenda may be obtained by contacting: Ms.
 Beata Stys-Palasz, P.E., at (386)943-5418 or by email at
beata.stys-palasz@dot.state.fl.us.

FOR MORE INFORMATION, YOU MAY CONTACT: Ms.
 Beata Stys-Palasz, P.E., FDOT Project Manager, at (386)943-
 5418 or email: beata.stys-palasz@dot.state.fl.us.

LYNX

The Central Florida Regional Transportation Authority
 announces a workshop to which all persons are invited.

DATE AND TIME: October 11, 2016, 9:15 a.m.

PLACE: FDOT District 5 Offices, 133 South Semoran Blvd.,
 Lake Apopka Conference Room B, Orlando, FL 32807

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Central Florida Regional Transportation Authority (dba
 LYNX) will participate in a grant workshop to discuss the
 availability of funding under the Section 5310 program for the
 urbanized Orlando and Kissimmee areas, as administered by
 LYNX. A workshop will be held by District Five Florida
 Department of Transportation, during which LYNX will
 present information regarding Section 5310 Orlando and
 Kissimmee urbanized area competitive selection process,
 Application packages will be available at the workshop, as
 well as on www.golynx.com, starting October 11, 2016. For
 additional information on the workshop or the LYNX

administered 5310 program, please contact Kasia Castro at (407)254-6022.

A copy of the agenda may be obtained by contacting: Kasia Castro, LYNX, Human Service Mobility Transportation Coordinator, (407)254-6022.

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: Tim May at 2500 LYNX Lane, Orlando, FL 32804 (407)254-6055. 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).

AIM Engineering

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

DATE AND TIME: October 4, 2016, 5:30 p.m. – 7:00 p.m.

PLACE: Veterans Park Recreational Center Gym, 55 Homestead Road South Lehigh Acres, Florida 33936

GENERAL SUBJECT MATTER TO BE CONSIDERED:

FDOT will hold a public meeting to provide information about the widening of SR 82 from two to four lanes. The meeting is an open house with no formal presentation. People attending the meeting may review project displays and aerial photographs and speak one-on-one with project team members. Displays for the State Road 82 from Alabama Road to Homestead Road will show two 12-foot lanes in both directions (expandable to six lanes in the future), six and a half-foot bicycle lanes in each direction, a five-foot sidewalk on the north side of SR 82 and a 10-foot shared-use path on the south side of SR 82. Displays for SR 82 from Homestead Road to the Lee/Hendry County Line will show two 12-foot lanes in both directions, a seven-foot bicycle lanes in both directions, a five-foot sidewalk on the north side of SR 82 and a 10-foot shared-use path on the south side of SR 82.

The department sent notices to all property owners and interested people located at least 300 feet on either side of SR 82, within the projects' limits. The meeting is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: FDOT project manager, Mr. Ray Porter, at (863)519-2484 or JRay.Porter@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT project manager, Mr. Ray Porter, at

(863)519-2484 or JRay.Porter@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT project manager, Mr. Ray Porter, at (863)519-2484 or JRay.Porter@dot.state.fl.us.

**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 issued an order disposing of the petition for declaratory statement filed by Barbara Pinault on July 5, 2016. The following is a summary of the agency's disposition of the petition:

The Petitioner asserted that the "local rules" at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the "Policy and Procedure Manual" referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Rayburn Williams on June 23,

2016. The following is a summary of the agency's disposition of the petition:

The Petitioner asserted that the "local rules" at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that he is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to his particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the "Policy and Procedure Manual" referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Debra Thomas on June 28, 2016. The following is a summary of the agency's disposition of the petition:

The Petitioner asserted that the "local rules" at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the "Policy and Procedure Manual" referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Ethel Kram on June 28, 2016. The following is a summary of the agency's disposition of the petition:

The Petitioner asserted that the "local rules" at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the "Policy and Procedure Manual" referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Andrea Lane on June 30, 2016. The following is a summary of the agency's disposition of the petition:

The Petitioner asserted that the "local rules" at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the "Policy and Procedure Manual" referenced in the Petition, the Petitioner failed to set forth any

issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Kathleen Ruppert on June 30, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Connie Brookes on July 5, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-

601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Carmen Burgos on July 5, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Colleen and Steve Andrew on July 7, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioners asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioners did not allege that they are unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to their particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioners failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Michelle Wilson on July 12, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Anne Pearler on July 13, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Debra Cox on July 21, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular

situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

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 issued an order disposing of the petition for declaratory statement filed by Shirlene Cox on July 21, 2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with section 944.8031(3), Florida Statutes, and rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

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 issued an order disposing of the petition for declaratory statement filed by Catherine Daniels on July 21,

2016. The following is a summary of the agency’s disposition of the petition:

The Petitioner asserted that the “local rules” at Okeechobee Correctional Institution are inconsistent with Section 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and 33-601.721, Florida Administrative Code, as written. The Petitioner did not allege that she is unsure of how the provisions of the Florida Statutes and the Florida Administrative Code should be applied to her particular situation. Such uncertainty is a necessary element of any statutorily sufficient Petition for Declaratory Statement. As for the unidentified form and the “Policy and Procedure Manual” referenced in the Petition, the Petitioner failed to set forth any issue, controversy, or confusion regarding either. Accordingly, the Department was unable to make any declaration regarding those items. For the foregoing reasons, the Petition was denied.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from PSO Florida and the ECRI Institute on August 29, 2016. The petition seeks the agency’s opinion as to the applicability of subsection 395.0197(13), Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop #7, Tallahassee, Florida 32308, via e-mail at Richard.Shoop@ahca.myflorida.com, or via telephone at (850)412-3671.

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Agency. The motion should be filed with the Agency Clerk at the above address within twenty-one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine has received the petition for declaratory statement from Jimmy Trang, DPM, CWS, filed on September 16, 2016. The petition seeks the agency’s opinion as to the applicability of paragraph 461.014(1)(b), F.S., as it applies to the petitioner.

The petition seeks the Board’s interpretation of paragraph 461.014(1)(b), F.S., and whether a residency program may be established at a hospital where a podiatric physician is on the hospital staff or is otherwise in a supervisory position where that physician is a federal physician with the Department of Veterans Affairs, duly licensed in another state.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Dale E. Fey, Jr, Fire Marshal of North Collier Fire Rescue District on September 26, 2016. The petition seeks the agency’s opinion as to the applicability of s. 633.202(19) as it applies to the petitioner.

The Petition seeks the agency’s opinion as to whether the language of s. 633.202(19) modifies or changes the requirement for area of refuge in the Florida Fire Prevention Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-5829.

Please refer all comments to: Melissa Dembicer.

Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**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**

DEPARTMENT OF EDUCATION

DISTRICT BOARD OF TRUSTEES

MIAMI DADE COLLEGE

11011 S.W. 104th STREET

MIAMI, FL 33176-3393

Bid listed below will be accepted in the PURCHASING DEPARTMENT, Room 9254, by 3:00 p.m. on Tuesday, October 25, 2016.

Prospective bidders may view bid forms, and related documents, at College’s Purchasing Department website, www.mdc.edu/purchasing.

BID NUMBER BID TITLE

ITB 2017-RM-02 KENDALL - NAP NETWORK SERVICES

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

A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

Section XII
Miscellaneous

DEPARTMENT OF LEGAL AFFAIRS
Florida Elections Commission
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Florida Elections Commission’s Regulatory Plan is available, effective October 1, 2016, at the following web address: <http://www.fec.state.fl.us/>

DEPARTMENT OF CORRECTIONS

Notice of Publication of 2016-2017 Regulatory Plan

Pursuant to section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Department of Corrections published its 2016-2017 Regulatory Plan on its website on September 28, 2016, pursuant to section 120.74(2)(a)1., Florida Statutes. The following hyperlink provides direct access to the 2016-2017 Regulatory Plan of the Department of Corrections: <http://www.dc.state.fl.us/pub/2016RegulatoryPlan.pdf>

COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Commission for the Transportation Disadvantaged’s Regulatory Plan is available, effective October 1, 2016, at the following web address: <http://www.dot.state.fl.us/ctd/>

AGENCY FOR HEALTH CARE ADMINISTRATION

Notice of Publication of Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 27, 2016, the Agency for Health Care Administration published its 2016-2017 regulatory plan in accordance with Section 120.74, Florida Statutes. The regulatory plan is available on the Agency’s website at: http://ahca.myflorida.com/Executive/General_Counsel/Docs/AHCA_ARP_FY_2016-2017.pdf.

DEPARTMENT OF MANAGEMENT SERVICES
E911 Board
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the E911 Board Regulatory Plan is available, effective October 1, 2016, at the following web address: [http://www.dms.myflorida.com/business/operations/telecommunications/enhanced_911/e911 legislative and rule resources](http://www.dms.myflorida.com/business/operations/telecommunications/enhanced_911/e911_legislative_and_rule_resources)

DEPARTMENT OF MANAGEMENT SERVICES
Division of Administrative Hearings

Notice of Publication of 2016 Regulatory Plan

Pursuant to section 120.74, F.S., notice is hereby given that on September 28, 2016, the Division of Administrative Hearings published its 2016-2017 Regulatory Plan. The Regulatory Plan is available on the websites of the Division of Administrative Hearings at <https://www.doah.state.fl.us/ALJ/reports/RegulatoryPlans/2016AgencyRegulatoryPlan.pdf>.

DEPARTMENT OF MANAGEMENT SERVICES
State Retirement Commission
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the State Retirement Commission Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.dms.myflorida.com/agency_administration/general_counsel/annual_regulatory_plans

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Pilotage Rate Review Committee
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Pilotage Rate Review Committee’s Regulatory Plan is available, effective October 1, 2016, at the following web address: <http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Regulatory Council of Community Association Managers
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Regulatory Council of Community Associate Managers Regulatory Plan is available, effective October 1, 2016, at the following web address: <http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Auctioneers
NOTICE OF PUBLICATION OF AGENCY REGULATORY
PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Auctioneers' Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Barbers' Board
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Barbers Board's Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Architecture and Interior Design's Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Construction Industry Licensing Board Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Cosmetology Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Electrical Contractors' Licensing Board
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Electrical Contractors' Licensing Board's Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies
Notice of Publication of Agency Regulatory Plan

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Employee Leasing Companies Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Landscape Architecture Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners
NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Pilot Commissioners' Regulatory Plan is available, effective October 1, 2016, at the following web address:

<http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Professional Engineers Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Professional Geologists' Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Veterinary Medicine's Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Building Code Administrators and Inspectors' Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Board of Accountancy's Regulatory Plan

is available, effective October 1, 2016, at the following web address:

http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Florida Real Estate Appraisal Board Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Florida Real Estate Commission's Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Florida State Boxing Commission's Regulatory Plan is available, effective October 1, 2016, at the following web address: http://www.myfloridalicense.com/dbpr/ogc/annualregplans.html

DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On September 26, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Toshiba Donta Parks, R.P.T., License # RPT 36826. 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 (2011). 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 FINANCIAL SERVICES

FSC - Financial Institution Regulation

Office of Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone: (850)410-9889		Tallahassee, Florida 32399-0379
Fax: (850)410-9663		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., October 19, 2016).

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: The Bank of Commerce, Sarasota, Florida

Proposed Purchaser: Byron DeFoor, Ooltewah, Tennessee

Received: September 27, 2016

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE OF PUBLICATION OF 2016-17 AGENCY REGULATORY PLAN

Notice is hereby given that on September 28, 2016, in accordance with Subsection 120.74(2), Florida Statutes (2016), the OFFICE OF FINANCIAL REGULATION published its 2016-17 Regulatory Plan, which is directly accessible at <http://www.flofr.com/StaticPages/documents/2016OFRAnnualRegulatoryPlan.pdf>.

BOARD OF GOVERNORS

NOTICE OF PUBLICATION OF BOARD REGULATORY PLAN

Pursuant to Section 120.72(2)(a)3., Florida Statutes, notice is hereby given that the Board of Governors of the State University System's Regulatory Plan was published on

September 28, 2016, and is available at the following web address: http://flbog.edu/_doc/RegulatoryPlan_2016.pdf.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-182

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-182 on September 27, 2016, in response to an application submitted by Pirates Bay Townhomes Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-174

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 025-2016

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 025-2016

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 025-2016 (the "Ordinance").

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on August 17, 2016, and rendered to the Department on September 1, 2016.

3. The Ordinance imposes a Moratorium and defers the approval of applications, including applications to Transfer Development Rights to offshore islands, applications to Transfer ROGO Exemptions to offshore islands, Tier amendments for offshore islands, and any Comprehensive Plan Future Land Use Map or Text Amendments that have the effect of increasing development potential on offshore islands. The Moratorium commenced on August 17, 2016, and will run for 365 days from the effective date of Ordinance 025-2016 or

when the Land Development Code amendments become effective, whichever occurs first.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), and 380.0552(9), Florida Statutes.

5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, and specifically, Objective 101.5, as required by section 163.3177(1), Florida Statutes.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers section 380.0552(7)(a), Florida Statutes, which requires, "strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation." The Ordinance is also consistent with section 380.0552(7)(b), Florida Statutes, which requires, "protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat."

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 025-2016 is consistent with the Monroe County Comprehensive Plan and Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
Taylor Teepell, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE

OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 28th day of September, 2016.

/s/ _____
Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:
The Honorable Heather Carruthers
Mayor, Monroe County
500 Whitehead Street
Key West, FL 33040

Amy Heavilin, Clerk
Monroe County

Board of County Commissioners
500 Whitehead Street
Key West, FL 33040

Mayte Santamaria, Senior Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-183

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS, FLORIDA, ORDINANCE NO. 16-16

FINAL ORDER
APPROVING ISLAMORADA ORDINANCE NO. 16-16

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 16-16 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands, on August 11, 2016, and rendered to the Department on September 13, 2016.

3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances to require a minimum number of parking spaces for multi-family dwelling units.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and 380.0552(9), Fla. Stat.

5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat.

6. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Transportation Element Policy 2-1.3.10 as required by section 163.3177(1), Florida Statutes.

7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

9. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands Ordinance No. 16-16 is consistent with the Islamorada, Village of Islands, Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

Taylor Teepell, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN

THE FLORIDA ADMINISTRATIVE REGISTER. A
PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY
ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE
A PETITION WITH THE AGENCY CLERK WITHIN 21
CALENDAR DAYS OF THE FINAL ORDER BEING
PUBLISHED IN THE FLORIDA ADMINISTRATIVE
REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing
Final Order has been filed with the undersigned designated
Agency Clerk, and that true and correct copies have been
furnished to the following persons by the methods indicated
this 28th day of September, 2016.

/s/ _____

Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Deb Gillis, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

Kelly Toth, Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Cheryl Cioffari
Director of Planning
86800 Overseas Highway
Islamorada, FL 33036

AGENCY FOR STATE TECHNOLOGY

Notice of Publication of 2016/2017 Regulatory Plan
NOTICE IS HEREBY GIVEN that on September 27, 2016,
the Agency for State Technology published its 2016/2017
Regulatory Plan in accordance with Section 120.74(2), F.S.
The Regulatory Plan is available on the Agency for State
Technology website at <http://www.ast.myflorida.com>.

Section XIII
Index to Rules Filed During Preceding
Week

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