

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: **RULE TITLE:**
33-601.250 Specialized Programs Institution
PURPOSE AND EFFECT: To implement the operation of institutions with specialized programs and progressive housing. The rule will provide for the operations of an institution as a “Specialized Programs Institution” that will facilitate specialized programs and progressive housing needs of the Department. The rule will establish the criteria for assignment into or removal from a “Specialized Programs Institution” and address the programmatic needs of the inmates at such institutions.

SUBJECT AREA TO BE ADDRESSED: The operational systems of institutions with specialized programs and progressive housing which facilitate the programmatic needs offered at each institution.

RULEMAKING AUTHORITY: 944.09, FS.
LAW IMPLEMENTED: 944.17, 944.801, 944.803, 944.1905, 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: Gregory Hill, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Currently unavailable. Interested parties should contact the person identified above for preliminary or proposed text as it becomes available.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: **RULE TITLE:**
59C-1.044 Organ Transplantation
PURPOSE AND EFFECT: The Agency is proposing to amend Rule 59C-1.044, F.A.C. to align definitions and remove outdated language.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments to this rule update language to align the pediatric age requirement with Medicaid definitions for designated pediatric transplant programs and removes outdated grandfathering provision.

RULEMAKING AUTHORITY: 408.034 (3), (8); and 408.15 (8), FS.

LAW IMPLEMENTED: 408.033(1)(b)4., 11, 408.034(3), 408.035, 408.036(1)(f) and 408.032(17) FS.

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

DATE AND TIME: December 4, 2017, 8:30 a.m. to 9:30 a.m.
PLACE: Agency for Health Care Administration, Building Three, Conference Room B, 2727 Mahan Drive, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Marisol Fitch, Health Facility Regulation, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida. Email: Marisol.Fitch@ahca.myflorida.com or by phone: (850)412-4346. 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: Marisol Fitch, Health Facility Regulation, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida. Email: Marisol.Fitch@ahca.myflorida.com or by phone: (850)412-4346.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: **RULE TITLE:**
61H1-20.0093 Rules of the Auditor General
PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate by reference the newest version of the rules of the Auditor General.

SUBJECT AREA TO BE ADDRESSED: Rules of the Auditor General.

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.: RULE TITLES:
 61H1-26.003 Licensure of Florida Certified Public Accountant Firms
 61H1-26.004 Changes by Firms
 61H1-26.005 Address of Record

PURPOSE AND EFFECT: For Rule 61H1-26.003, F.A.C., the Board proposes the rule amendment to clarify language concerning licensure of Florida Certified Public Accountant Firms. For Rule 61H1-26.004, F.A.C., the Board proposes the rule amendment to clarify language regarding changes by firms. For Rule 61H1-26.005, F.A.C., the Board proposes the rule amendment to clarify language regarding address of record.

SUBJECT AREA TO BE ADDRESSED: Licensure of Florida Certified Public Accountant Firms. Changes by Firms. Address of Record.

RULEMAKING AUTHORITY: 473.304, 473.3101 FS.
 LAW IMPLEMENTED: 455.275, 473.3101 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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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
 61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to add reference to a new law, Chapter 2017-148, that took effect July 1, 2017.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

RULEMAKING AUTHORITY: 455.2273, 473.304 FS.

LAW IMPLEMENTED: 455.277, 455.2273, 473.323 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
 61H1-38.005 Scholarships

PURPOSE AND EFFECT: The Board proposes the rule amendment clarify language regarding scholarships.

SUBJECT AREA TO BE ADDRESSED: Scholarships.

RULEMAKING AUTHORITY: 473.304(1), 473.3065(3) FS.
 LAW IMPLEMENTED: 473.3065 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-10.026 Team or Group Advertising

PURPOSE AND EFFECT: The proposed new rule establishes the definition and criteria for team or group advertising.

SUBJECT AREA TO BE ADDRESSED: This is a new rule setting forth the definition and criteria for team or group advertising.

RULEMAKING AUTHORITY: 120.53, 475.05, 475.25(1)(c) FS.

LAW IMPLEMENTED: 475.25, 475.42 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, lori.crawford@myfloridalicense.com.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.: 61N-2.033
 RULE TITLE: Application for Certification as a Designated Representative

PURPOSE AND EFFECT: To create a new rule to provide language and incorporate by reference the designated representative of a wholesale distributor certification application form.

SUBJECT AREA TO BE ADDRESSED: The proposed rulemaking creates and incorporates by reference the designated representative of a wholesale distributor certification application form within the text of Proposed Rule 61N-2.033, F.A.C.

RULEMAKING AUTHORITY: 499.01, 499.012, 499.0121, 499.04, 499.041, 499.05, FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041, 499.05, 559.79 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: Dinah Greene, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, Dinah.Greene@myfloridalicense.com, (850)488-1802

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

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NOS.:	RULE TITLES:
64B20-3.002	Application Fee
64B20-3.004	Initial Active Status License Fee
64B20-3.0045	Initial Active Status Assistant Certificate Fee
64B20-3.005	Provisional License Fee
64B20-3.006	Licensure by Endorsement Application Fee
64B20-3.007	Active Status License Fee
64B20-3.008	Active Status Assistant Certificate Fee
64B20-3.009	Inactive Status License Fee
64B20-3.0091	Inactive Status Assistant Certificate Fee
64B20-3.0095	Delinquent Status License Fee
64B20-3.0096	Delinquent Status Assistant Certificate Fee
64B20-3.010	Inactive Status License Reactivation Fee
64B20-3.0101	Inactive Status Assistant Certificate Reactivation Fee
64B20-3.0105	Change of Status Fee
64B20-3.011	Duplicate License Fee
64B20-3.012	Certification of Public Record Fee
64B20-3.013	Provider Application Fee
64B20-3.014	Provider Renewal Fee
64B20-3.016	Licensee or Certified Assistant Biennial Application Fee for Prior Approval of Continuing Education Activities
64B20-3.017	Provider Biennial Application Fee for Prior Approval of a Continuing Education Activity

PURPOSE AND EFFECT: The Board proposes to open all the rules in this chapter to review and update language as needed.

SUBJECT AREA TO BE ADDRESSED: Review and update rule language as needed.

RULEMAKING AUTHORITY: 456.025(4), 456.025(7), 456.025(10), 456.025(11), 456.036(7), 456.036(8), 468.1145, 468.1145(1), 468.1195(1), (2), FS.

LAW IMPLEMENTED: 456.025(4), 456.025(7), 456.025(10), 456.025(11), 456.036, 456.036(3), 456.036(4), 456.036(7), 456.036(8), 456.065, 468.1145, 468.1195(1), 468.1145(2), 468.1145(5), 468.1145(6), 468.1145(7), 468.1145(8), 468.1145(9), 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: Kama

Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, Kama.Monroe@flhealth.gov.

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

Section II Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-24.005
 RULE TITLE: Collection Site and Specimen Collection Procedures

PURPOSE AND EFFECT: The Agency proposes to strike the incorporated forms to allow providers to utilize forms that comply with existing requirements.

SUMMARY: Collection Site and Specimen Collection Procedures – incorporated 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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule 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: 112.0455(13)(a), FS, 440.102(10), FS.

LAW IMPLEMENTED: 112.0455, FS, 440.102, 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:

DATE AND TIME: Monday, December 18, 2017; 3:00 p.m. - 4:00 p.m.

PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Dayle Mooney, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dayle Mooney, (850)412-4500, email: Dayle.Mooney@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-24.005 Collection Site and Specimen Collection Procedures.

(1) Designation of Collection Sites. For urine and blood specimen collection, each laboratory, that has a contract or agreement for testing services with an employer, shall provide collection sites under contract and training for collectors, or shall provide a trained collector to collect specimens for the employer at any time designated by the employer in his contract or agreement with the laboratory. The collector shall be responsible to the laboratory for implementing collection procedures and chain of custody procedures as designated in Chapter 59A-24, F.A.C. The laboratory shall provide to the collection site, or collector, specimen collection kits which, as applicable, shall contain chain of custody forms, as required by ~~incorporated in~~ subsection 59A-24.005(2), F.A.C., mailing boxes or containers, specimen identification labels, laboratory address labels, urine specimen bottles, external temperature strips, tamper-proof plastic sealable bags and forensic tamper-proof tape to seal the specimen container(s). Kits for alcohol testing must have a 7ml blood vial that contains an anticoagulant and a preservative of sodium fluoride. Employers who do not use hair testing for their drug-free workplace program shall not be required to maintain collection facilities and personnel as described in Section 112.0455(13)(b)3.a., F.S. Employers that choose to use hair as a specimen for testing shall meet the requirements found in Section 112.0455(13)(b)3.a., F.S.

(2) Chain of Custody Form and Procedures. Chain of custody refers to the methodology of documenting the tracking of specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition of all such materials or substances and providing for accountability at each stage in handling, testing,

~~storing and reporting of the test results. The agency chain of custody forms, AHCA Form 3170-5006 July 95; Drug Testing Chain of Custody for urine and AHCA Form 3170-5008, Sept. 97; Drug Testing Chain of Custody—Hair, incorporated by reference herein, shall be utilized for this purpose. These forms will be available from each laboratory licensed under these rules. Each laboratory shall be responsible for obtaining these forms from a vendor of their choosing. The agency shall provide one camera-ready copy of this form to each laboratory upon request.~~

(a) A chain of custody form shall be completed for each donor tested.

(b) Each laboratory licensed under these rules shall provide legally defensible chain-of-custody forms to be used for each donor. ~~Laboratories licensed prior to the effective date of these rules are permitted to use Drug Testing Chain of Custody, HRS Form 1806, Revised 5/91 (currently AHCA Form 3170-5006 Nov. 94), which is incorporated by reference herein, until 12 months after this rule chapter is effective. Laboratories licensed after the effective date of these rules shall use Drug Testing Chain of Custody form AHCA Form 3170-5006 July 95, for urine and AHCA Form 3170-5008 Sept. 97 for hair.~~

(c) All chain of custody forms shall provide a unique identifier which shall not be used to identify any other Florida Drug Free Workplace specimen. The employer is permitted to assign an employee identification number for use with each donor tested.

(d) The design of the chain of custody forms shall meet the following requirements:

1. Prominently indicate the name and address of the laboratory performing the drug test(s).

2. A section to be completed by the collector or employer representative that solicits the following information:

- a. Employer name and address;
- b. Medical review officer name and address;
- c. Employee identification number;
- d. Reason for the test(s); and,
- e. Test(s) to be performed.

3. A section which indicates the temperature of urine specimens taken within 4 minutes of collection. This shall not be required for chain-of-custody forms for hair specimens.

4. A section to be completed by the collector that indicates the following:

- a. The collection facility name, address and telephone number;
- b. A designation that a split sample was or was not collected;
- c. A remarks section;
- d. A statement for the collector to sign incorporating the following language: I certify that the specimen identified on this form is the specimen presented to me or collected by me from

the donor providing certification on Copy 4 of this form, that it bears the same identification number as set forth above, and that it has been collected, labeled and sealed in accordance with the Florida Drug-Free Workplace as found in Section 112.0455, F.S., Section 440.102, F.S., and Chapter 59A-24, F.A.C.; and,

e. A place for the collector to print his name, a place for the collector's signature and the date and time.

5. A section to be initiated by the collector and completed as necessary thereafter that documents the transfer of the specimen for the purpose of maintaining control and accountability for the specimen. At a minimum, this section shall indicate:

- a. Date of transfer;
- b. Signature and name of the person releasing the specimen;
- c. Signature and name of the person receiving the specimen; and,
- d. Purpose of the transfer.

6. A section to be completed by the laboratory which indicates the following:

- a. An indication as to whether the specimen was received with intact specimen seals;
- b. The test results;
- c. Contains the following statement for the certifying scientist to sign: I certify that the specimen identified by the laboratory accession number on this form is the same specimen that bears the specimen identification number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with the Florida Drug-Free Workplace Program requirements as found in Section 112.0455, F.S., Section 440.102, F.S. and Chapter 59A-24, F.A.C., and that the results set forth are for that specimen; and,

d. A place for the certifying scientist to print his name, the signature of the certifying scientist and the date.

7. A section to be completed by the Medical Review Officer including the following:

a. The statement: I have reviewed the laboratory test(s) for the specimen identified by this form in accordance with the Florida Drug-Free Workplace Program as found in Section 112.0455, F.S., Section 440.102, F.S. and Chapter 59A-24, F.A.C.;

b. A space for determination of test results as one of the following:

- I. Negative;
- II. Positive;
- III. Test not performed; and,
- IV. Test canceled.

c. A place for remarks;

d. The signature of the Medical Review Officer; and,

e. The name of the Medical Review Officer and the date.

8. The chain of custody form shall be comprised of the following copies for distribution:

a. Original laboratory copy (Copy 1) which shall be routed to the laboratory with the specimen; the laboratory will retain upon the completion of testing.

b. Second Original Laboratory copy (Copy 2) which shall be routed to the laboratory with the specimen; as a means of reporting the test result, the laboratory will forward the copy to the Medical Review Officer.

c. Split specimen copy (Copy 3) which must accompany the split portion to the laboratory. Split sample testing is optional.

d. Medical Review Officer copy (Copy 4) which shall be routed directly to the MRO by the collection site personnel; this form copy is not to be sent to the laboratory.

e. Donor copy (Copy 5) which shall be given to the donor by the collector. Do not send to the laboratory.

f. Collector copy (Copy 6) which shall be retained by the collector. Do not send to the laboratory.

g. Employer copy (Copy 7) which shall be forwarded to the employer.

~~(e) AHCA Form 3170-5006 July 95 and AHCA Form 3170-5008 Sept. 97 are permitted to be modified to indicate specialized specimen identification numbering systems, laboratory identification information and logos, and specimen labels, provided that:~~

- ~~1. The content of each section of the form is not altered.~~
- ~~2. The instructions are not altered.~~
- ~~3. The sequence, number and color of the copies are not altered.~~
- ~~4. The drugs listed in the reverse of Copy 5 are not altered.~~

~~(e)(f)~~ The form shall contain no information which can be traceable to the donor except the unique identifier, the employee identification number, if used, and the laboratory's specimen identification number.

~~(f)(g)~~ The form shall also contain the following list of over-the-counter and prescription drugs which could alter or affect a test result. Due to the large number of obscure brand names and constant marketing of new products, this list, as follows, is not intended to be all-inclusive.

Alcohol	All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe
	Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
Cannabinoids	Marinol (Dronabinol, THC).

Cocaine	Cocaine HCl topical solution (Roxanne).
Phencyclidine	Not legal by prescription.
Methaqualone	Not legal by prescription.
Opiates	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.
Barbiturates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad, etc.
Benzodiazepines	Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
Methadone	Dolophine, Metadose.
Propoxyphene	Darvocet, Darvon N, Dolene, etc.

~~(g)(h)~~ Handling and transportation of a specimen from one authorized individual or place to another shall always be accomplished through the chain of custody form and procedures. The chain of custody form shall be used for maintaining control and accountability of each specimen from the point of collection to final disposition of the specimen at the laboratory. The purpose of the transfer of possession, the name and signature of the person releasing and receiving the specimen, and the date shall be documented on the form each time a specimen is handled or transferred and every individual in the chain shall be identified. Since the specimen and the chain of custody form are sealed in tamper-proof sealable plastic bags that would indicate any tampering during transit to the laboratory, and since couriers, express carriers and postal service personnel do not have access to the chain of custody forms, there is no requirement that such personnel document chain of custody for the shipping container during transit. Nor is there a requirement that there be a chain of custody entry when a specimen which is sealed in such a shipping container is placed in or taken out of secure storage at the collection site prior to pickup by such personnel. A test shall not be canceled because couriers, express carriers, postal service personnel or other persons involved solely with the transportation of a specimen to a laboratory have not documented their participation in the chain of custody or because the chain of custody does not contain entries related to placing the specimen in or removing it from secure temporary storage at the collection site.

(h)(+) Once the specimen has arrived at the laboratory, an internal chain of custody form shall be used by the laboratory until the laboratory has finalized the test results.

(i)(+) Every effort shall be made to minimize the number of persons handling the specimens.

(3) Security Procedures and Specimen Collection. Collection site security and specimen collection security are the responsibility of the collector through contract with the licensed laboratory. Security procedures shall provide for the designated collection site to be secure including the providing of privacy for the donor and the integrity of the specimen.

(a) Access to Authorized Personnel Only. No unauthorized personnel shall be permitted in any part of the designated collection site when specimens are collected or stored.

(b) Privacy. Procedures for collecting urine specimens shall allow individual privacy unless there is reason to believe that a particular individual intends to alter or has altered or substituted the specimen to be provided.

(c) Integrity and Identity of Specimen. The collection site person shall take precautions to ensure that a specimen not be adulterated or diluted during the collection procedure and that information on the collection bottle and on the chain of custody form can identify the individual from whom the specimen was collected. The following minimum precautions shall be taken to ensure that unadulterated specimens are obtained and correctly identified.

1. To prevent specimen contamination at the collection site:

a. For urine specimens, toilet bluing agents shall be placed in toilet tanks so the reservoir of water in the toilet bowl always remains blue. There shall be no other source of water in the enclosure or partitioned area where urination occurs. All other sources of water shall be controlled by the collector.

2. When a donor arrives at the collection site, the collection site person shall request the donor to present a photo identification. If the donor does not have the proper photo identification, the collection site person shall contact the employer who can positively identify the donor. If the donor's identity cannot be established, the collection site person shall not proceed with the collection. The collection site person shall document the reason for not collecting the specimen and provide the donor with a copy of this documentation.

3. Before collecting a specimen, the collection site person shall check to see that the donor has a chain of custody form or has a letter from the employer authorizing the drug test. If a letter is used, the letter shall contain the following information:

a. The name of the individual to be tested;

b. The name of the employer and the employer's address, phone number, and fax number;

c. The name, address and phone number of the laboratory with which the employer has contracted or established an agreement for testing services;

d. The name, address, phone number, and secured fax number of the employer's Medical Review Officer;

e. The reason for the test (i.e., either job applicant, reasonable suspicion, routine fitness, or follow-up to treatment);

f. The drugs for which the laboratory will test; and,

g. The signature of the employer's representative authorizing the testing.

4. If a collection time is assigned by the employer or collection site, and the donor fails to arrive at the collection site at the assigned time, the collection site person shall notify the employer of the missed appointment.

5. The collection site person shall ask the individual to remove any unnecessary outer garments, such as a coat or jacket, and to empty all clothing pockets. The collection site person shall ensure that all personal belongings, such as a purse or briefcase, remain with the outer garments. The individual may retain his or her wallet, provided that the collection site person shall check it for possible contaminants.

6. The individual shall be instructed to wash and dry his or her hands prior to urination. After washing hands, the individual shall remain in the presence of the collection site person and shall not have access to any water fountain, faucet, soap dispenser, cleaning agent or any other materials which could be used to adulterate the specimen.

7. The individual may provide his or her urine specimen in a stall or otherwise partitioned enclosure that allows for individual privacy. The collection site person shall remain in the restroom or area, but outside the stall or partitioned enclosure.

8. Upon receiving the specimen from the individual, the collection site person shall determine that:

a. Urine specimens contain at least 30 milliliters (mL) of urine. The approximate volume of the specimen shall be documented by the collector at the time of collection. If there is less than 30 mL of urine in the container, another urine specimen shall be collected in a separate container. Collected specimens which contain less than 30 mL of urine shall not be submitted to the laboratory for testing. Such specimens shall be discarded in the presence of the donor and such procedure shall be annotated by the collector on the chain of custody form. The collector is permitted to give the donor water to drink for the purpose of providing another urine specimen not to exceed an 8 ounce glass of water every 30 minutes for up to 2 hours. If the donor still fails to provide 30 mL of urine, the collection site person shall reschedule another collection within 24 hours and notify the employer as soon as possible of such rescheduling.

b. Blood alcohol specimens shall be collected using aseptic venipuncture technique. The venipuncture site for blood alcohol shall be cleansed with a non-alcoholic antiseptic substance prior to collection. Blood specimens shall contain 7 mL of blood which shall be collected in one tube containing an anticoagulant and a preservative of sodium fluoride. Immediately after collection, the collection site person shall rock the tube gently to mix the anticoagulant and preservative substance with the blood.

c. A quantity of hair shall be collected as described in Section 112.0455(13)(b)3.f.(IV), F.S.

9. After a urine specimen has been provided and submitted to the collection site person, the individual shall be allowed to wash his or her hands.

10. No longer than 4 minutes following collection, the collection site person shall measure and record the temperature of the urine specimen, as indicated, on the chain of custody form. The temperature measuring device must be placed on the outside of the container to prevent contamination. If the temperature measurement exceeds 4 minutes, the specimen shall be rendered invalid and shall be rejected. A second specimen shall be collected and a new chain of custody form generated.

11. If the temperature of a urine specimen is outside the range of 90°-100° degrees fahrenheit, there is reason to believe that the donor may have altered or substituted the specimen and another urine specimen shall be collected under direct observation by an observer of the same gender as the donor, as specified in subparagraph 59A-24.005(3)(c)13., F.A.C. The reason for the observed collection and the identity of the direct observer shall be documented on the chain of custody form.

12. Immediately after a urine specimen is collected, the collection site person shall also inspect the specimen to determine its color and look for any signs of contaminants. Any unusual findings shall be noted on the chain of custody form.

13. Whenever a collection site person has reason to believe that a particular individual may alter or has altered or substituted a urine specimen, a higher level supervisor at the collection site or at the laboratory shall review the decision and concur in advance with the collection of a second specimen under the direct observation of an observer of the same gender as the donor. Once approved by a higher level supervisor, the collector shall require the individual to provide another specimen under direct observation. If the same gendered observer is not the collector, the observer shall be identified on the chain of custody form. The observer, if different from the collector, shall not handle the specimen and the specimen shall be handed to the collector by the donor in the observer's presence. The observer shall keep the specimen in sight at all times prior to it being sealed. A new chain of custody form shall be executed to accompany any specimen collected under direct

observation. Information regarding a specimen collected under direct observation shall be included on both the new chain of custody form and on the original form in the remarks section. In addition, the new chain of custody specimen identification number shall be annotated on the original form. Both specimens shall be sent to the laboratory to be analyzed.

14. The individual being tested, the collection site person, and the observer if used for direct observation, shall keep the specimen in view at all times prior to its being sealed and labeled.

15. The collection site person shall place securely on the bottle an identification label containing the donor's specimen number, which matches the specimen number on the chain of custody form, and the date.

16. The employee (donor) and the collector shall initial the identification label on the specimen bottle for the purpose of certifying that it is the specimen collected from the donor.

17. The collector shall enter on the chain of custody form all required information.

18. The individual shall be asked to sign a statement on the chain of custody form certifying that the specimen identified as having been collected from him or her is in fact that specimen he or she provided. It shall be noted and signed on the chain of custody form by the collection site person, with a witness' signature, if the individual refuses to sign this statement.

19. The collection station is permitted to store unrefrigerated urine specimens up to 72 hours after collection, provided they are sealed for shipment as described in subparagraph 59A-24.005(3)(c)21., F.A.C., and kept in locked, secure temporary storage. Hair specimens shall be stored at all times in unrefrigerated locked, secured storage.

20. While any part of the above chain of custody procedures is being performed, it is essential that the specimen and the chain of custody form be under the control of the collection site person. If the collection site person leaves his or her work station momentarily, the specimen and the chain of custody form shall be taken with him or her or shall be secured in a locked room, drawer, file cabinet, etc. After the collection site person returns to the work station, the chain of custody process will continue. If the collection site person is leaving for an extended period of time, the specimen shall be packaged for shipment before he or she leaves the site.

21. The collection site person shall arrange to send the collected specimens by express shipment, courier, or U.S. Mail to the drug testing laboratory which is designated by the employer. The specimens shall be placed in containers designed to minimize the possibility of damage during shipment. Prior to shipping or storage, the collection site person shall ensure that:

a. The specimen container is sealed with forensic tamper-proof tape;

b. The forensic tamper-proof tape contains the initials of the donor, the date the specimen was sealed in the specimen container; and,

c. The completed chain of custody form and specimen container is enclosed and sealed in a tamper-proof sealable plastic bag before packaging for shipment to the drug testing laboratory.

22. This rule chapter does not prohibit the use of split samples provided that such samples are collected in accordance with the provisions of the Mandatory Guidelines for Federal Workplace Drug Testing Programs as defined in subsection 59A-24.003(7), F.A.C.

Rulemaking Authority 112.0455(13)(a), FS, ~~440.102(10)~~, FS. Law Implemented 112.0455 FS, ~~440.102~~ FS. History—New 3-15-90, Amended 6-28-91, Formerly 10E-18.005, Amended 5-1-96, 3-11-98, 3-29-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dayle Mooney
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin Senior
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 02, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 05/24/2017

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: RULE TITLES:
12A-1.038 Consumer's Certificate of Exemption;
 Exemption Certificates
12A-1.044 Vending Machines
12A-1.097 Public Use Forms
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 202, October 18, 2017 issue of the Florida Administrative Register. The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

12A-1.038: Consumer's Certificate of Exemption;
Exemption Certificates
No change.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 95.091(3), 212.02(4), (14)(c), 212.07(1), 212.08(6), (7), 212.085, 212.18(2), (3), ~~212.21(2)~~ FS. History—New 10-7-68,

Amended 6-16-72, 9-28-78, 7-20-82, 4-29-85, Formerly 12A-1.38, Amended 8-10-92, 3-17-93, 9-14-93, 12-13-94, 10-2-01, 6-12-03, 7-31-03, 6-28-04, 11-6-07, 9-1-09, 5-9-13, 2-17-15, 1-11-16, _____.

12A-1.044 Vending Machines

(1) No change.
(2) All sales made through vending machines of food, beverages, or other items are taxed in the manner provided in Section 212.0515(2), F.S., except as provided in paragraphs (a) and (b). See subsection (2) of Rule 12A-15.011, F.A.C., for the effective tax rates for sales made through vending machines in counties imposing a discretionary sales surtax.

(a) Receipts from vending machines owned and operated by churches or synagogues are exempt. ~~Such entities are not required to post a notice as required in subsection (4).~~

(b) Food and drinks sold for human consumption for 25 cents or less through a coin-operated vending machine sponsored by a nonprofit corporation under s. 501(c)(3) or (4) of the Internal Revenue Code of 1986, as amended, are exempt. ~~The nonprofit corporation is not required to post a notice as required in subsection (4).~~

(c) No change.
(3) through (7) No change.

12A-1.097 Public Use Forms.

(1) through (19) No change.

Form Number	Title	Effective Date
(20) DR-2LLRP	Florida Sales Tax Brackets Effective on all Leases and Licenses of Real Property Transactions Taxable under Section 212.031(1)(c), Florida Statutes (R. 01/18) (http://www.flrules.org/Gateway/reference.asp?No=Ref-____)	<u>01/18</u>

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
12A-1.070 Leases and Licenses of Real Property;
 Storage of Boats and Aircraft
 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. 43 No. 202, October 18, 2017 issue of the Florida Administrative Register.

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

12A-1.070 Leases and Licenses of Real Property; Storage of Boats and Aircraft

(1)(a) Every person who rents or leases any real property or who grants a license to use, occupy, or enter upon any real property is exercising a taxable privilege unless such real property is:

1. through 9. No change

10. Classified as a type of property for which another exemption may apply pursuant to section 212.031, F.S.

(b) through (e) No change

(2) through (3) No change

(4)(a) through (d) No change

(e) Utility charges paid by a tenant to the lessor for the privilege or right to use or occupy real property are taxable, unless the lessor has paid the sales tax to the utility company on such utilities consumed by the tenant, and the utilities billed by the lessor to the tenant are separately stated on the lessor's invoice to the tenant at the same or lower price as that billed by the utility company to the lessor.

1. Example: Landlord owns a building with 5 offices and common areas. All offices are the same size. Landlord uses one office and leases the other four. The lease agreement provides that the utility charges are "additional rent" and failure to pay such utility charges when required will cause the lease to terminate. All offices use approximately the same amount of utilities. Utility services are sold by City Utilities to Landlord. City Utilities' service bill to Landlord is as follows:

Electrical energy	\$1000.00
Gas energy	500.00
Gross Receipts Tax (\$1500 x 2.5%)	37.50
Subtotal – subject to sales tax	1537.50
Sewage and garbage service	100.00
Water service	50.00
Florida sales tax	92.50
Municipal utilities tax (\$1500 x 10%)	<u>150.00</u>
Total Amount Due	\$1929.75

Landlord charges each tenant \$2,000 rent, which includes the tenant's use of the common areas, in addition to the tenant's pro rata share of utilities, including sales tax on utilities, gross receipts tax on utilities and municipal utility tax based on Landlord's cost. Of the above total charges that add up to \$1,929.75, the charges for services of sewage, garbage, and water service are not utility service charges on which tax was paid by Landlord. Consequently, only the portion of each tenant's \$385.95 share of the total charge billed by City Utilities (\$1,929.75) which represents the tenant's share of non-taxable charges is taxable as rent. Therefore, the invoice to the tenant for the month should read:

Rent	\$2000.00
Tenant's one-fifth share of charges for sewage, garbage, & water	30.00

Total subject to tax	\$2030.00
Florida (5.8%) sales tax	117.74
Reimbursement for one-fifth share of utilities on which tax was paid by Landlord	<u>355.95</u>
Total Amount Due	\$2503.69

2. No change

(f) No change

(g)1. No change

2. Notwithstanding the provisions of subparagraph 1. above, if the amount paid by a lessee to a lessor to cancel or terminate a lease agreement is recorded as a rental expense in the lessee's books and records, then such payment is subject to tax. However, if the lessee does not record that payment as a rental expense, then such payment is not considered a payment for the lease of the real property but as a payment to cancel or terminate the agreement, and is not subject to tax. If the lessee records the payment as a rental expense but does not remit tax to the lessor on such payment, then the lessee is required to remit the tax on such charge directly to the Department of Revenue. The lessee is required to remit the tax on Form DR-15, Sales and Use Tax Return, if a registered dealer, or if unregistered, the lessee is required to remit the tax on Form DR-15MO, Out-of-State Purchase Return. Forms DR-15 and DR-15MO are incorporated by reference in Rule 12A-1.097, F.A.C.

3. through 4. No change

(5) through (23) No change.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:
12B-8.003 Tax Statement; Overpayments
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. 43 No. 202, October 18, 2017 issue of the Florida Administrative Register.

In response to information received from local jurisdictions, the following jurisdictions were removed from Form DR-908 and Form DR-350900:

Code	City/District	County	Type
212	Bushnell	Sumter	Police
879	Shalimar	Okaloosa	Police

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-404.108 Discipline and Confinement of Mentally Disordered Inmates
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 211, October 31, 2017 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-1.005
 RULE TITLE: Standards for OPOs, Tissue Banks and Eye Banks

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. 43 No. 126, June 29, 2017 issue of the Florida Administrative Register.

Changes to the proposed rule are related to clarification of the application of specific requirements, rulemaking authority citations, and corrections of typographical errors.

59A-1.005 Standards for OPOs, Tissue Banks and Eye Banks.

(1) Organizational Requirements.

(a) through (b) No change.

(c) OPO, Eye Bank, or Tissue Bank Director. Each OPO, eye bank, or tissue bank shall have a director qualified by training and experience for the scope of activities being pursued.

1. The director shall be responsible for:

a. through e. No change.

f. Appointing technical staff with capabilities and training appropriate to their function and ensuring that competency is maintained by participation in training courses and technical meetings or other educational programs. Such training shall be recorded in the employee's personnel file

g. through h. No Change.

2. If the director appointed does not have medical licensure, the OPO, eye bank, or tissue bank shall have at least one physician, employed or under contract, to ensure compliance with all medical-legal aspects and with all requirements for specialist knowledge of the particular organs and tissues processed.

3. No change.

(d) through (g) No change.

(2) Safety and environmental control. Written procedures for the operation shall be established and approved by the director. Instructions for action in case of emergency or exposure to communicable disease, chemical and biological hazard precautions shall be included.

(a) Human waste items shall be disposed so as to minimize any hazard to personnel or the environment in accordance with the following rules and statutes administered by the Department of Environmental Protection and the Department of Health: as required by Section 381.0098, F.S., Chapter 403, Part IV, F.S., and Chapter 64E-16, F.A.C..

(b) through (d) No change.

(3) No change.

(4) Ethical Standards.

(a) No change.

(b) In the event that services ~~other than obtaining referral or consent~~ are provided to the procuring OPO, eye bank or tissue bank arrangements may be made to pay expenses incurred for services rendered. Reimbursement to the individual shall not be in conflict with the personnel policies of the primary employer.

(5) through (6) No change.

(7) Premortem donations under the Anatomical Gift Statute. Consent expressed by a living person to donate organs and tissues under provisions of the Anatomical Gift Statute, Chapter 765, Part ~~V~~**X**, F.S., are legally valid and permits organ procurement organizations, tissue banks, and eye banks to procure organs and tissues without further authorization from next of kin.

(8) through (12) No change.

(13) Recall Procedures. A written procedure shall exist for recall of organs or tissues or notification of recipient agencies of the possibility of contamination, defects in processing, preparation or distribution, or other factors affecting suitability of the organs or tissues for their intended application. Procedures for documenting the steps in recall or notification shall be included in the policies and procedures.

(14) No change.

(15) HIV Notification Requirements. Notification of HIV test results shall be given in accordance with the following statutes and rules administered by the Department of Health: as required by Section 381.0041, F.S. and Rule 64D-2.005, F.A.C.

(16) through (21) No change.

(22) Financial Policies and Procedures. ~~Each OPO shall comply with existing federal laws and guidelines in its fiscal and accounting procedures.~~

(a) through (f) No change.

(23) through (24) No change.

(25) Allocation of Donated Organs.

(a) through (b) No change.

(c) Organs shall be allocated by the OPO utilizing the sequence of patients as determined by OPTN computer ~~or by an approved OPTN variance.~~

(d) No change.

(26) Procurement Procedures. The OPO shall have written policies and procedures to facilitate and coordinate the recovery of donated organs by trained and qualified personnel.

(a) through (e) No change.

(f) In all organ donors, the OPO is responsible for distributing the following documentation to each transplant center receiving an organ from an individual donor:

1. through 3. No change.

4. Copy of the following OPO donor information:

a. through h. No change.

i. Transfused donor. All potential donors are to be tested for HIV-1/HIV-2 antibodies in accordance with the following rule administered by the Department of Health; pursuant to Rule 64D-2.005, F.A.C. If the donor's pre-transfusion test is antibody negative and subsequent transfusions are pre-tested, retesting for HIV-1/HIV-2 antibodies is not necessary. If no pre-transfusion blood sample is available, the donor institution must provide, along with the screening test results, a complete history of all transfusions received by the donor during the ten (10) day period immediately prior to removal of the organs. Except as provided in Section 59A-1.005(2)(c), F.A.C., organs from donors with repeatedly reactive screening tests for HIV-1/HIV-2 antibodies are not suitable for transplantation unless subsequent confirmation testing unequivocally indicates that the original test result was unconfirmed. If additional tests related to HIV-1/HIV-2 antibodies are performed, the results of all tests must be communicated immediately to the recipient's institution.

(27) through (32) No change.

(33) Tissue Bank Organizational Staff Requirements.

(a) No change.

~~(b) Medical directors for tissue banks are limited to performing their responsibilities for multiple banks under the following criteria:~~

~~1. Medical directors for tissue banks where at least one of the tissue banks is performing Recovery, Processing and Distribution are not permitted to act as Medical Director for more than five (5) tissue banks at one time;~~

~~2. Medical directors for tissue banks which perform any one of the following (but no single tissue bank performing all three activities): Recovery, Processing or Distribution are not permitted to act as Medical Director for more than ten (10) tissue banks at one time;~~

(c) through (e) redesignated (b) through (d) No change.

(34) Tissue Donor Selection.

(a) through (b) No change.

(c) HIV infections. HIV testing shall be performed in accordance with the following rule administered by the Department of Health; ~~is required under~~ Rule 64D-2.005, F.A.C.

(d) Tissues with evidence of infectious diseases are conditions which shall preclude distribution for transplantation. The following is a list of examples of commonly encountered conditions which preclude donation of tissues:

1. Infectious diseases such as:

a. through e. No change.

f. Active or chronic hepatitis of viral or unknown etiology; and

g. No change.

2. Bacterial infections such as:

a. Pyelonephritis associated with sepsis or systemic infection;

b. Gross Peritonitis or abdominal abscess (not only microscopic inflammation);

c. Pneumonia associated with sepsis or systemic infection (other than non-confluent bronchopneumonia);

d. through f. No change.

3. No change.

4. Collagen and immune complex diseases determined by the Medical Director to impact the specific tissues to be distributed such as:

a. through f. No change.

5. No change.

6. Recipients of organ transplants. Recipients ~~of~~ organ transplants shall not be automatically ~~eliminated~~ because of the transplant.

7. No change.

(35) through (39) No change.

(40) Tissue Bank Facilities and Equipment. Environmental monitoring procedures shall be established in writing as part of the quality assurance program, when applicable. Monitoring procedures for processing tissue, at minimum, shall include equipment and personnel monitoring where tissue contact occurs, work-surface cultures, and, where appropriate, static and dynamic air particulate air sampling.

(41) through (56) No change.

(57) Eye Tissue Storage.

(a) All surgical tissue shall be stored in quarantine until negative serology results have been documented, in accordance with the following rule administered by the Department of Health; pursuant to Rule 64D-2.005, F.A.C.

(b) through (c) No change.

(58) through (59) No change.

Rulemaking Authority ~~408.819,~~ 765.541(2) FS. Law Implemented, 765.541, 765.542, 765.543, 765.545 FS. History--New 11-26-92, Amended 8-20-96, _____.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-16.021 Adoption Benefits for Qualifying Adoptive Employees of State Agencies

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 214, November 3, 2017 issue of the Florida Administrative Register. The title of the rule was incorrectly written in a portion of the Notice of Proposed Rule. The correct title of the rule is "Adoption Benefits for Qualifying Adoptive Employees of State Agencies."

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NOS.:	RULE TITLES:
69L-8.071	Materials for use with the Florida Workers’ Compensation Health Care Provider Reimbursement Manual
69L-8.074	Materials for use throughout Rule Chapter 69L-7, F.A.C.

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. 43 No. 161, August 18, 2017 issue of the Florida Administrative Register.

69L-8.071 Materials for use with the Florida Workers’ Compensation Health Care Provider Reimbursement Manual.

(1) The following materials are incorporated by reference:

(a) through (d) No change.

(e) The CPT® ~~2016~~ ~~2015~~ Current Procedural Terminology Professional Edition, Copyright ~~2015~~ ~~2014~~, American Medical Association;

(f) The CDT ~~2016~~ ~~2015~~, Dental Procedure Codes, Copyright ~~2015~~ ~~2014~~, American Dental Association;

(g) The ~~2016~~ ~~2015~~ HCPCS Level II Professional Edition, American Medical Association, Copyright ~~2016~~ ~~2014~~, Elsevier Saunders;

~~(h) The 2015 ICD-9-CM Professional Edition for Physicians, Volumes 1 & 2, American Medical Association, Copyright 2015;~~

~~(h)(i) The 2016 2015 ICD-10-CM: The Complete Official Draft Codebook, American Medical Association, Copyright 2015 2014, Optum360, LLC OptumInsight, Inc.; and,~~

~~(j) The 2015 ICD-10-PCS: The Complete Official Draft Codebook, American Medical Association, Copyright 2014, OptumInsight, Inc.; and,~~

~~(i)(k) The 2016 2015 CPT® Assistant, Copyright American Medical Association.~~

(2) No change.

Rulemaking Authority 440.13(13)(b), 440.591 FS. Law Implemented 440.13(12), (13)(b) FS. History—New 2-18-16, Amended.

69L-8.074, F.A.C., Materials for use throughout Rule Chapter 69L-7, F.A.C.

(1) The following materials are incorporated by reference:
(a) through (k) No change.

(l) The ICD-10-CM: The Complete Official ~~Draft~~ Codebook, American Medical Association, as adopted in Rules 69L-8.071, 69L-8.072, and 69L-8.073, F.A.C.

(m) The ICD-10-PCS: The Complete Official ~~Draft~~ Codebook, American Medical Association, as adopted in Rules 69L-8.072, and 69L-8.073, F.A.C.

(n) No change.

(2) No change.

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on November 13, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner’s Name: Edward Cass

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 18-4271.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (A2017059-1).

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

NOTICE IS HEREBY GIVEN that on November 16, 2017, the Department of Management Services received a petition for the waiver of paragraph 60H-1.017(1)(a), F.A.C., from the Florida Fish and Wildlife Conservation Commission. Paragraph 60H-1.017(1)(a), F.A.C., requires an agency to conduct one unsuccessful competitive procurement for existing space before then issuing another procurement for Turnkey Lease space.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Diane Wint, Agency Clerk, at 4050 Esplanade Way, Suite 160, Tallahassee, FL 323299 or diane.wint@dms.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that on November 13, 2017, the Board of Professional Engineers, received a petition for waiver filed by Frank Morabito, PE, SECB, regarding the requirements

of Rule 61G15-35.003, F.A.C., specifically the requirement that experience claimed be obtained within the seven years preceding application for certification. The Board will consider this petition at its meeting currently scheduled for December 7, 2017. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address, (850)521-0050, or zraybon@fbpe.org.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: November 28, 2017, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: November 30, 2017, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

DATE AND TIME: December 5, 2017, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: December 5, 2017, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: December 7, 2017, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Essay Contest Task Force.

DATE AND TIME: December 12, 2017, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee.

DATE AND TIME: December 12, 2017, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: December 14, 2017, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

NOTE: In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax (850)921-4131.

DEPARTMENT OF EDUCATION

State Board of Education

The Charter School Appeal Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 6, 2017, 1:00 p.m. until completion

PLACE: Dial 1(888)670-3525, enter participant code 994 517 4167

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will hear the Charter School Application denial of Florida Charter Educational Foundation, Inc. and South Palm Beach Charter School vs. Palm Beach County School Board.

A copy of the agenda may be obtained by contacting: The Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: The Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399 or by phone at (850)245-0502.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Seaport Security Committee of the Florida Seaport Transportation and Economic Development Council (FSTED) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 31, 2017, 11:00 a.m. - 3:00 p.m.

PLACE: Barbados Ballroom, Caribe Royale Hotel & Conference Center, 8101 World Center Drive, Orlando, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting Mike Rubin in the Florida Ports Council offices at (850)222-8028 or mike.rubin@flaports.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Christy Gandy in the Florida Ports Council offices at (850)222-8028 or christy.gandy@flaports.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Mike Rubin in the Florida Ports Council offices at (850)222-8028 or mike.rubin@flaports.org, or visit www.flaports.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: December 1, 2017, 10:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Legal Work Group meets to discuss general topics relating to legal policies for health information exchange including provisions regarding agreements for health information exchange.

A copy of the agenda may be obtained by contacting: Dana Watson, (850)412-3784.

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

For more information, you may contact: Dana Watson, (850)412-3784.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Water Quality Protection Program Canal Restoration Advisory Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2017, 9:00 a.m. – 1:00 p.m.

PLACE: Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update the members of the Subcommittee and the general public on the progress of ongoing canal water quality restoration projects, conduct a technical review of proposed projects and discuss future actions.

A copy of the agenda may be obtained by contacting Gus Rios, Environmental Administrator, South District Marathon Office, (305)289-7081, gus.rios@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Gus Rios, Environmental Administrator, South District Marathon Office, (305)289-7081, gus.rios@dep.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: Gus Rios.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks
The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, November 28, 2017, 5:30 p.m. – 8:00 p.m.

PLACE: City of High Springs – Old School Community Center, Santa Fe Room, 23760 NW 187th Avenue, High Springs, FL 32643 (Formerly Listed Address for the Old School Community Center, for use in navigation: 245 NW 2nd Street, High Springs, FL 32643)

GENERAL SUBJECT MATTER TO BE CONSIDERED: An opportunity for the public to provide input on future management of Gilchrist Blue Springs State Park.

A copy of the agenda may be obtained by contacting: George Paxton, Park Manager, c/o O’Leno Administration, 18730 W Newberry Road, Newberry, FL 32669, (352)472-1142, fax (352)472-1145, George.Paxton@dep.state.fl.us.

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

DEPARTMENT OF HEALTH
Division of Medical Quality Assurance
The Dietetics and Nutrition Practice Council under the Board of Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2017, 10:00 a.m. ET

PLACE: Dial 1(888)670-3525, then enter participant code 7811783909 followed by the # sign

GENERAL SUBJECT MATTER TO BE CONSIDERED: Declaratory Statements.

A copy of the agenda may be obtained by contacting: The Department of Health, Council for Dietetics and Nutrition, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the council office at (850)245-4373.

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: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH
Division of Medical Quality Assurance
The Department of Health, Board of Physical Therapy announces public meetings to which all persons are invited.

DATES AND TIMES: February 8, 2018, 5:00 p.m. ET.; February 9, 2018, 8:00 a.m. ET

PLACE: Crowne Plaza Tampa, 5303 W. Kennedy Blvd, Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Physical Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridasphysicaltherapy.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 6, 2017, 9:00 a.m. ET

PLACE: Dial 1(888)670-3525, conference code 4552635641

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel with a public case for review.

A copy of the agenda may be obtained by contacting: www.floridasmentalhealthprofessions.gov. If a person decides

to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay system at 1(800)955-8770 (voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: December 5, 2017, 8:00 a.m. ET

PLACE: Dial 1(888)670-3525; when prompted, enter conference code 4552635641#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel with a reconsideration.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2017, 8:00 a.m.

PLACE: 777 Glades Road, ADM 326, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Authority Meeting.

A copy of the agenda may be obtained at jwales@research-park.org.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

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

DATES AND TIMES: November 21, 2017, 8:00 a.m.; November 28, 2017, 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: November 21: Board Executive Committee Meeting to discuss the Board Meeting agenda; November 28: Full Board Meeting.

A copy of the agenda may be obtained by contacting: Mary Harper, mharper@cilorlando.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mary Harper, mharper@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

GRAYROBINSON, P.A.

The Office of the Governor and City of South Miami Health Facilities Authority announce a public hearing to which all persons are invited.

DATE AND TIME: December 5, 2017, 10:00 a.m.

PLACE: City Hall, 6130 Sunset Drive, South Miami, Florida, by the City of South Miami Health Facilities Authority

DATE AND TIME: December 6, 2017, 9:00 a.m.

PLACE: Office of Governor of the State of Florida, General Counsel's Conference Room, The Capitol, 400 S. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A plan of finance of the Issuer to issue one or more series of its revenue bonds (the "Bonds") in an aggregate principal amount not to exceed \$950,000,000.

Hearings will be held by the City of South Miami Health Facilities Authority (the "Issuer"), and the Governor of the State of Florida regarding a plan of finance of the Issuer to issue one or more series of its revenue bonds (the "Bonds") in an aggregate principal amount not to exceed \$950,000,000. The proceeds of the Bonds will be loaned to one or more of Baptist Health South Florida, Inc. ("BHSF"), Baptist Hospital of Miami, Inc. ("Baptist Hospital"), Baptist Outpatient Services, Inc. ("BOS"), Doctors Hospital, Inc. ("Doctors Hospital"), Homestead Hospital, Inc. ("Homestead Hospital"), Mariners Hospital, Inc. ("Mariners Hospital"), South Miami Hospital, Inc. ("South Miami Hospital"), West Kendall Baptist Hospital, Inc. ("West Kendall Hospital"), Fishermen's Health, Inc. ("Fishermen's"), Bethesda Health, Inc. ("BHI"), Bethesda Health Outpatient Services, Inc. ("BHC"), Bethesda Health Comprehensive Imaging Services, Inc. ("WDC"), and Bethesda Payroll Services, Inc. ("Payroll" and, together with BHSF, Baptist Hospital, BOS, Doctors Hospital, Homestead Hospital, Mariners Hospital, South Miami Hospital, Fishermen's, BHI, BHC and WDC, the "Borrowers"). The proceeds of the Bonds will be used, together with certain other moneys, to (i) pay or reimburse BHSF and its affiliated corporations for, or refinance any indebtedness incurred to pay, the costs of acquiring, constructing, expanding, renovating, rehabilitating and equipping certain healthcare facilities and all necessary, attendant or related facilities, equipment, site work and utilities thereto; (ii) refund all or a portion of the outstanding portion of

the (a) \$800,000,000 original aggregate principal amount City of South Miami Health Facilities Authority Hospital Revenue Bonds, Series 2007 (Baptist Health South Florida Obligated Group) (the "Series 2007 Bonds"), (b) \$130,000,000 original aggregate principal amount Palm Beach County Health Facilities Authority Health Facilities Revenue Bonds (Bethesda Healthcare System, Inc. Project) Series 2010A (the "Series 2010A Bonds") and (c) \$85,000,000 original aggregate principal amount Palm Beach County Health Facilities Authority Health Facilities Revenue Bonds (Bethesda Healthcare System, Inc. Project) Series 2010B (the "Series 2010B Bonds" and, together with the Series 2010A Bonds, the "Series 2010 Bonds"); (iii) fund a debt service reserve fund for the benefit of the Bonds, if deemed necessary or desirable by the Issuer and BHSF; (iv) fund working capital for any of the Borrowers, if deemed necessary or desirable by BHSF; (v) fund interest accruing on the Bonds, if deemed necessary or desirable by BHSF; and (vi) pay certain expenses incurred in connection with the issuance of the Bonds, including the cost of any credit or liquidity enhancement, all as permitted by the Health Facilities Authorities Law, Part III, Chapter 154, Florida Statutes and the Florida Industrial Development Financing Act, Part II, Chapter 159, Florida Statutes (the "Acts").

The proceeds of the Series 2007 Bonds were used, together with certain other moneys, to (i) refund all or a portion of the outstanding portion of (a) the Dade County Health Facilities Authority's \$116,400,000 Hospital Revenue Refunding Bonds, Series 1993A (Baptist Hospital of Miami Project) (the "Series 1993A Bonds"); (b) the Issuer's \$69,985,000 Hospital Revenue Refunding Bonds, Series 1995 (Baptist Health Systems Obligated Group) (the "Series 1995 Bonds"); (c) the Issuer's \$104,205,000 Hospital Revenue Bonds, Series 1998 (Baptist Health Systems Obligated Group) (the "Series 1995 Bonds"); (c) the Issuer's \$104,205,000 Hospital Revenue Bonds, Series 1998 (Baptist Health Systems Obligated Group) (the "Series 1998 Bonds"); (d) the Issuer's \$150,000,000 Hospital Revenue Bonds, Series 2003 (Baptist Health South Florida Obligated Group) (the "Series 2003 Bonds"); (e) the City of Coral Gables Health Facilities Authority's \$149,920,000 Hospital Revenue Bonds, Series 2004 (Baptist Health South Florida Obligated Group) (the "Series 2004 Bonds," and together with the Series 1993A Bonds, the Series 1995 Bonds, the Series 1998 Bonds and the Series 2003 Bonds, the "1993A/1995/1998/2003/2004 Bonds"); and (f) the Borrowers' outstanding obligations incurred in connection with some or all of the 1993A/1995/1998/2003/2004 Bonds; (ii) pay or reimburse one or more of the Borrowers for the payment of costs of acquiring, constructing, renovating, rehabilitating and equipping certain healthcare facilities of the Borrowers; and (iii) pay certain expenses incurred in connection with the issuance of the Bonds and such refundings, all as permitted by the Acts.

The proceeds of the 1993A/1995/1998/2003/2004 Bonds were loaned to one or more of the Borrowers and were used to finance or refinance costs of acquiring, constructing, renovating, rehabilitating and equipping certain healthcare facilities of the Borrowers.

The proceeds of the Series 2010 Bonds were used, together with certain other moneys, to (i) pay or reimburse BHI for, or refinance outstanding indebtedness the proceeds of which were used for, the payment of the costs of acquiring, constructing, renovating, remodeling and equipping certain of its health facilities (the "2010 Project"), (ii) currently refund all or a portion of the outstanding principal amount of the Palm Beach County Health Facilities Authority Health Facilities Revenue Bonds (Bethesda Healthcare System, Inc. Project), Series 2001 (the "Series 2001 Bonds"); (iii) refinance all or a portion of the outstanding principal amount of loans to BHI from the Palm Beach County Health Facilities Authority (the "Palm Beach Authority") from proceeds of the Palm Beach County Health Facilities Authority Refunding Program Revenue Bonds, Series 1985 (Pooled Hospital Loan Program) (the "Pool Loans" and, together with the Series 2010 Bonds, the Series 2007 Bonds, the Series 2001 Bonds and the 1993A/1995/1998/2003/2004 Bonds, the "Prior Bonds"); (iv) fund a debt service reserve fund for the benefit of the Series 2010 Bonds, if deemed necessary or advisable by the Palm Beach Authority and BHI; (v) pay a portion of the interest on the Series 2010 Bonds, if deemed necessary or advisable by the Palm Beach Authority and BHI; (vi) provide working capital, if deemed necessary or advisable by the Palm Beach Authority and BHI; and (vii) pay certain expenses incurred in connection with the issuance of the Series 2010 Bonds, including but not limited to the costs of refunding the Series 2001 Bonds and refinancing the Pool Loans.

The proceeds of the Series 2001 Bonds were used to (i) finance any or all of certain capital expenditures incurred and to be incurred by BHI and/or Bethesda Hospital, Inc. (formerly, Bethesda Memorial Hospital, Inc.) in connection with the acquisition, construction, improving and equipping of its health care facilities; (ii) refinance indebtedness of BHI to the Orange County Health Facilities Authority associated with the Orange County Health Facilities Authority Refunding Program Revenue Bonds, Series 1985 (Pooled Hospital Loan Program), the proceeds of which loans were used to finance capital expenditures related to BHI's health care facilities located at 2815 South Seacrest Boulevard, Boynton Beach, Florida, and BHC's health care facilities located at 10301 Hagen Ranch Road, Boynton Beach, Florida; and (iii) pay the costs of issuance of the Series 2001 Bonds.

The proceeds of the Pool Loans were used to finance certain equipment expenditures related to BHI's health care facilities. Each of the facilities financed or refinanced with the proceeds of the Bonds and the Prior Bonds are or will be initially owned,

operated or managed by one or more of the Borrowers at the following locations: 6855 Red Road, 10 Giralda Avenue, 5000 University Drive, 1150 Campo Sano Avenue, 1171 Campo Sano Avenue, 1500 Monza Avenue, 1501 Venera Ave, 1575 San Ignacio, 1500 San Remo and Gables Grand Plaza in Coral Gables, Florida; 8500 SW 117th Road, 7535 N. Kendall Drive, 8900 N. Kendall Drive, 8940 N. Kendall Drive, 8950 N. Kendall Drive, 9035 Sunset Drive, 8780 S.W. 92nd Street, 9045 S.W. 87th Court, 9049 S.W. 87th Court, 8740 S.W. 94th Street, 8755 8785 S.W. 92nd Street, 9200 S.W. 87th Avenue, S.W. 92nd Street and 88th Avenue, 8755 S.W. 94th Avenue, 8750 S.W. 14th Street, 13001 S.W. 88th Street, 9915 N.W. 41st Street, 14701 NW 77 Ave, 1240 S. Dixie Hwy, 14660 SW 8th Street, 11805 S Dixie Hwy, 1222 S. Dixie Hwy, 2660 Brickell Ave, 8820 S.W. 40th Street, 8840 S.W. 40th Street, 8301 N.W. 12th Street , 9000 S.W. 13th Avenue, 12400 S.W. 127th Avenue, 13611 S.W. 142nd Avenue, the 30 acres north and east of the intersection of S.W. 96th Street and S.W. 162nd Avenue, 9555 S.W. 162 Avenue, 13500 S.W. 152nd Street, 14100 S.W. 136th Street, 6140 S.W. 70th Ave., 9350 Sunset Drive, 8741 S.W. 94th Street, and S.W. 154th Street and 134th Avenue in Miami, Florida; 2100 N.W. 84th Avenue in Doral, Florida; 160 N.W. 13th Street, 104 N.W. 12th Street, 112 N.W. 12th Street, 192 N.W. 12th Street, 127 N.W. 11th Street, 119 N.W. 11th Street, 111 N.W. 11th Street, 105 N.W. 11th Street, 1220 N.W. 1st Avenue, 151 N.W. 11th Street, 135 N.W. 13th Street, 143 N.W. 11th Street, 3377 N.E. 8th Street, 136 N.W. 12th Street, the 60 acres located on the north side of S.W. 312th Street approximately 0.4 miles west of S.W. 142nd Avenue and approximately 0.25 miles east of S.W. 152nd Avenue and the 30 acres south of Campbell Drive at S.W. 312 Street and S.W. 142nd Avenue, and 975 Baptist Way in Homestead, Florida; 7400 S.W. 62nd Avenue, 6200 S.W. 73rd Street, 6200 S.W. 72nd Street, 6842 S.W. 80th Street 5975 Sunset Drive, 7330 S.W. 62nd Place, 8250 Sunset Drive, 6250 Sunset Drive, 7401 S.W. 62nd Avenue, 7411 S.W. 63rd Avenue, 7421 S.W. 63rd Avenue, 7431 S.W. 63rd Avenue, 7500 S.W. 62nd Court, 6320 Manor Ln, 7401 SW 62 Ave, 7211 SW 62 Ave, 6790 – 6880 S.W. 80th Street, 7150 SW 62 Ave and 6233 Sunset Drive in South Miami, Florida; 4741 S. University Drive in Davie Florida; 6264 West Sample Road in Coral Springs, Florida; 15885 Pines Blvd in Pembroke Pines, Florida; 1642 Town Center Circle in Weston, Florida; 12472 W Sunrise Blvd in Sunrise, Florida; 40 High Point Road, 91550 Overseas Highway, 91500 Overseas Highway, 87465 Old Highway and 87455 Old Highway in Tavernier, Florida; 103400 Overseas Highway, 100210 Overseas Highway and 100360 Overseas Highway in Key Largo, Florida; and 2815 South Seacrest Boulevard, 10301 Hagen Ranch Road, 2623 South Seacrest Blvd. and 9655 West Boynton Beach Boulevard in Boynton Beach, Florida.

The public hearings are required by Section 147(f) of the Internal Revenue Code of 1986, as amended. Written comments may be submitted to the Issuer or the Governor in care of the Chair of the Issuer, Subrata Basu, City Hall, 6130 Sunset Drive, South Miami, Florida 33143 until 10:00 a.m. on December 5, 2017. Copies of the documents pursuant to which the Bonds will be issued will be available for inspection in the office of the City Clerk and prior to the hearing and meeting.

Pursuant to Section 286.0105 of the Florida Statutes, as amended, the Issuer and the Governor hereby advise that if a person decides to appeal any decision made by the Issuer or the Governor with respect to any matter considered at such hearing and meeting, such person will need a record of the proceedings and, for such purpose, 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 based.

In accordance with the Americans with Disabilities Act (“ADA”), if any person with a disability as defined by the ADA needs special accommodations to participate in the South Miami or Tallahassee public hearings, then (i) not later than two (2) business days prior to the public hearing in South Miami, Florida, he or she should contact the Office of the City Clerk at 305-663-6340 and (ii) not later than two (2) business days prior to the public hearing in Tallahassee, Florida, he or she should contact Meredith Sasso, Assistant General Counsel, at (850)717-9321.

FLORIDA VETERANS FOUNDATION

The Florida Veterans Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 28, 2017, 10:00 a.m.

PLACE: 400 South Monroe Street, Suite 2107, Tallahassee, FL 32399; call-in number 1(302)202-1106, conference code 471060

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business and administrative matters.

A copy of the agenda may be obtained by contacting Dennis Baker, (850)488-4181, or visiting the FVF website www.floridaveteransfoundation.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Dennis Baker, (850)488-4181. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact Dennis Baker, (850)488-4181.

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

NONE

**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**

FISH AND WILDLIFE CONSERVATION COMMISSION
West Palm Beach Public Shooting Park - Phase 3
ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED, CERTIFIED/REGISTERED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

BID NO: FWC 17/18-59C
BID NAME: WEST PALM BEACH PUBLIC SHOOTING PARK – PHASE 3
PROJECT LOCATION: PALM BEACH COUNTY, FLORIDA

FOR: The construction of two separate CMU buildings on one parcel in Palm Beach County, Florida. Project to include all materials, equipment, and labor necessary to complete the project as described.

SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:

DATE & TIME: December 19, 2017, 2:00 p.m. ET
PLACE: Florida Fish and Wildlife Conservation Commission

Purchasing Office
2590 Executive Center Circle
Tallahassee, Florida 32301
Phone: (850)488-6551

BID DOCUMENTS: Can be downloaded from the Vendor Bid System at the link below:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu

Search by the bid number: FWC 17/18-59C

PURCHASING MANAGER: (Direct questions to the following):

Ruth Heggen
FWC, Purchasing Office
Phone: (850)212-7699
Email: Ruth.Heggen@myfwc.com

DEPARTMENT OF MILITARY AFFAIRS
217062 Palatka NGA Roof and Waterproofing
STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PUBLIC ANNOUNCEMENT
INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General (GC) for the following project located at the Palatka National Guard Armory, Palatka, FL

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 11/17/2017 AT

http://www.myflorida.com/apps/vbs/vbs_www.main_menu
PROJECT: 217062 Palatka NGA Roof and Waterproofing

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: (See Bid Documents for complete details). The scope of work is for the 17,936 square foot Palatka Readiness Center. The scope consists of the reroofing of the entire building, new flashing, gutters and downspouts, repairing cracks in building face brick, replace failing sealant around glass block, cleaning of steel lintels, and the existing lightning protection system reinstalled. Replacement of the existing drill hall clerestory aluminum storefront windows with new aluminum storefront windows sized properly to the existing opening, replacement of an existing pre-engineered aluminum canopy with a permanent roof structure, and installation of a new interior access ladder to the roof with new roof access hatch.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904)823-0255 or 827-8544 or email ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

DEPARTMENT OF MILITARY AFFAIRS
217061 DeLand NGA Roof and Waterproofing
STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PUBLIC ANNOUNCEMENT
INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General (GC) for the following project located at the DeLand National Guard Armory, DeLand, FL

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 11/17/2017 AT

http://www.myflorida.com/apps/vbs/vbs_www.main_menu

PROJECT: 217061 DeLand NGA Roof and Waterproofing

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: (See Bid Documents for complete details).

The Deland armory is approximately 17,433 square foot with two roof systems, a barrel vault roof (higher roof) and a flat roof (lower roof). The scope of this project includes reroofing of the barrel vault roof (higher roof) over the Assembly Hall and repairs to cracks in the building's exterior. The existing high roof is a barrel vault with a single ply rubberized membrane that will be replaced with a new standing seam metal roof system.

The contractor shall protect the flat roof from any damages. And also, the exterior masonry walls and stucco finish exhibit hairline and stair step cracking consistent with unreinforced masonry. Contractor shall apply a new waterproofing coating to the building exterior and repair the interior drill hall finishes damaged from roof leaks.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904) 823-0255 or 827-8544 or email ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Friday, November 10, 2017 and 3:00 p.m., Thursday, November 16, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5I-6.001	11/16/2017	12/6/2017
5I-6.002	11/16/2017	12/6/2017
5I-6.003	11/16/2017	12/6/2017
5I-6.004	11/16/2017	12/6/2017
5I-6.005	11/16/2017	12/6/2017
5I-6.006	11/16/2017	12/6/2017
53ER17-73	11/9/2017	11/9/2017
61G15-33.001	11/14/2017	12/4/2017
61G15-33.002	11/14/2017	12/4/2017
61G15-33.003	11/14/2017	12/4/2017
61G15-33.004	11/14/2017	12/4/2017
61G15-33.005	11/14/2017	12/4/2017
61G15-33.006	11/14/2017	12/4/2017
61G15-33.007	11/14/2017	12/4/2017
61G15-33.008	11/14/2017	12/4/2017
61G15-33.010	11/14/2017	12/4/2017
64B-9.002	11/13/2017	12/3/2017
65C-30.001	11/14/2017	12/4/2017
68B-31.0156	11/15/2017	12/5/2017
69K-33.001	11/16/2017	12/6/2017

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-4.242 Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters

Notice of Modification of Variance

The Department of Environmental Protection gives notice that it has modified the expiration date of a variance previously granted under Section 403.201, F.S., from the provisions of subsection 62-312.080(7), F.A.C., sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., subsection 62-302.700(1), F.A.C., and subsection 62-312.080(3), F.A.C., to the United States Army Corps of Engineers (File No.0222332-005-BV). The modification extends the expiration date to coincide with the with the expiration date of Permit No. 0222332-001-DF to dredge the Gulf Intercoastal Waterway. The modified variance also reflects that subsections 62-312.080(3) and (7), F.A.C., have been repealed and are now codified in paragraphs 62-330.301(1)(e) and 62-330.302(1)(c), F.A.C., respectively.

The variance allows turbidity levels at the edge of the mixing zones within Outstanding Florida Waters, to exceed background levels. The modification to the variance expiration date is being granted because the petitioner has demonstrated there continues to be no practicable means known or available for the adequate control of the turbidity involved. The Department’s file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida, 32399, (850)245-8336, email BIPP@dep.state.fl.us, website <https://floridadep.gov/water/beaches-inlets-ports>.

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S.,

before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Petitions for an administrative hearing must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On November 16, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Kayla C. Hubbard, C.N.A., Certificate # CNA 303582. 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 (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On November 16, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Brian P. Elzinga, C.N.A., Certificate # CNA 122316. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing
Emergency Action

On November 16, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Patricia Anne Gray, C.N.A., Certificate # CNA 334706. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing
Emergency Action

On November 16, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Bianca Leondra Elbert, C.N.A., Certificate # CNA 290517. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
Final Order No. DEO-17-154

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY POLK COUNTY, FLORIDA
ORDINANCE NO. 17-041

FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 17-041

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by Polk County, Florida, (the “County”) Ordinance No. 17-041 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The County is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the County on September 19, 2017, and rendered to the Department on October 3, 2017.
3. The Ordinance amends the County’s Land Development Code to allow for boat sales with a conditional use level 2

permit within the Tourist Commercial Center (TCCX) future land use designation along Holy Cow Road, and provides development standards for all development in the TCCX.

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. See section 380.05(6), 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 County’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policies 2.101A-A3 and 2.131-PA4.d.3.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with all the Principles for Guiding Development.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 17-041 is consistent with the County’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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/ James D. Stansbury, Bureau Chief

Bureau of Community Planning and Growth

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. Mediation is not available.

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 16th day of November, 2017.

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

Certified-U.S. Mail:
Honorable John E. Hall
Chairman, Polk County, Florida
P.O. Box 9005
Drawer BC01
Bartow, FL 33831

John Bohde, Director
Land Development
Polk County
P.O. Box 9005
Drawer BC01
Bartow, FL 33831

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.
