

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

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:  
6D-7.0073 Disciplinary Procedures and Disposition  
PURPOSE AND EFFECT: The purpose of this rule is to establish general student disciplinary standards and procedures for the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Discussion of amendment to the requirements for disciplinary standards and procedures for and discipline of students for the Florida School for the Deaf and the Blind.

RULEMAKING AUTHORITY: 1002.36(4)(c), FS.

LAW IMPLEMENTED: 1002.36, FS.

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

DATE AND TIME: Friday, May 26, 2017, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

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: Cindy Brueckner, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2210, Email: bruecknerc@fsdb.k12.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julia Mintzer, Administrator of Business Services, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2301, Email: mintzerj@fsdb.k12.fl.us

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:  
33-302.110 Reporting Requirements

PURPOSE AND EFFECT: The purpose of the changes are to update Form NI1-118 and Form D2-364 with current information for individuals to submit their court ordered

payments to the Florida Department of Corrections using JPay's services.

SUBJECT AREA TO BE ADDRESSED: Update of Form NI1-118 and Form D2-364 with current payment instruction information for court ordered payments.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 945.31 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

33-302.110 Reporting Requirements.

(1) through (3) No change.

(4) Offenders who are required by supervision order to make payments shall do so by using one of the methods described on NI1-118, Instructions for Payment. Form NI1-118, is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of this form is \_\_\_\_ (2/14.) The payment instruction information can also be accessed at [www.dc.state.fl.us](http://www.dc.state.fl.us) under the How Do I section entitled Pay Court Ordered Payments. If an offender chooses to make payment via the United States Postal Service the offender will complete Form DC2-364, Money Order Deposit Form for Restitution & Court-Ordered Payments. The offender shall send the completed form pursuant to the instructions provided on Form DC2-364. Form DC2-364 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, or the offender's Correctional Probation Officer. The effective date of this form is \_\_\_\_ (2/14.)

Rulemaking Authority 944.09 FS. Law Implemented 945.31 FS. History—New 8-1-01, Amended 11-4-04, 3-24-13, 7-1-13, 2-10-14, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.: RULE TITLE:  
 61C-1.002 Licensing and Inspection Requirements  
 PURPOSE AND EFFECT: To adopt new application forms that were impacted by the plan review fee removal and forms with other minor changes.  
 SUBJECT AREA TO BE ADDRESSED: Minor changes in the forms incorporated in this rule.  
 RULEMAKING AUTHORITY: 509.032, 509.241, 509.2112 FS.  
 LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 559.79, 509.2112 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: Cindy Ross, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 2601 Blair Stone Rd. Tallahassee, FL 32399-1001  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: RULE TITLE:  
 64B9-15.0045 Certified Nursing Assistant Renewal Fee  
 PURPOSE AND EFFECT: The rule is being created to establish a certified nursing assistant renewal fee.  
 SUBJECT AREA TO BE ADDRESSED: Establish renewal fee.  
 RULEMAKING AUTHORITY: 456.036, 464.006 FS.  
 LAW IMPLEMENTED: 456.036 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: RULE TITLE:  
 64B13-4.001 Examination Requirements  
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to revise examination requirements.  
 SUBJECT AREA TO BE ADDRESSED: Examination requirements necessary for licensure.  
 RULEMAKING AUTHORITY: 456.017(1), 463.005, 463.006(2) FS.  
 LAW IMPLEMENTED: 456.017(1), 463.006(2) 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: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:  
 64B16-26.1032 Immunization Administration Certification Application and Information  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated form.  
 SUBJECT AREA TO BE ADDRESSED: Immunization Administration Certification Application and Information.  
 RULEMAKING AUTHORITY: 465.005 FS.  
 LAW IMPLEMENTED: 465.189 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:  
 64B16-27.100 Display of Current License; Pharmacist, Registered Pharmacy Technician Intern Identification

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise the rule regarding when and under what circumstances licenses must be displayed.

SUBJECT AREA TO BE ADDRESSED: Display of Current License; Pharmacist, Registered Pharmacy Intern and Registered Pharmacy Technician Identification.

RULEMAKING AUTHORITY: 456.072(1)(t), 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.022 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NOS.: RULE TITLES:  
 64B16-28.301 Destruction of Controlled Substances - Institutional Class I Pharmacies (Nursing Homes)  
 64B16-28.501 Institutional Permit - Consultant Pharmacist of Record  
 64B16-28.503 Transmission of Starter Dose Prescriptions for Patients in Class I Institutional or Modified II B Facilities  
 64B16-28.606 Remote Medication Order Processing for Class II Institutional Pharmacies  
 64B16-28.870 Special-ALF

PURPOSE AND EFFECT: The Board proposes the rule amendments to update, revise and streamline board rules relating to pharmacies serving assisted living/long term care facilities.

SUBJECT AREA TO BE ADDRESSED: Destruction of Controlled Substances – Institutional Class I Pharmacies

(Nursing Homes). Institutional Permit - Consultant Pharmacist of Record. Transmission of Starter Dose Prescriptions for Patients in Class I Institutional or Modified II B Facilities. Remote Medication Order Processing for Class II Institutional Pharmacies. Special-ALF.

RULEMAKING AUTHORITY: 465.005, 465.022, 465.0125 FS.

LAW IMPLEMENTED: 465.019, 465.0196, 465.0125, 465.022, 465.026 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:  
 33-203.201 Inmate Trust Fund

PURPOSE AND EFFECT: The purpose and effect of the amendment is to enhance internal controls to detect and aid in the prevention of fraudulent use of an inmate’s trust fund account. Additionally, the amendment makes clarifications to the Rule in several areas and implements several design changes to Form DC2-363.

SUMMARY: The proposed rulemaking deletes obsolete language in regards to depositing interest earned on the Inmate Trust Checking Account and removes language to reflect that inmates no longer have the option to receive cash upon their release for travel and related expenses. Additionally, language is added to enhance internal controls to detect and aid in the prevention of fraudulent use of inmate trust fund accounts and make clarifications throughout the Rule. Several design changes have been made to Form DC2-363 as well.

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:

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: 944.09, 944.151, 944.516, 945.091, 945.215 FS.

LAW IMPLEMENTED: 17.61, 20.315(12), 57.085, 717.113, 944.09, 944.151, 944.516, 945.091, 945.215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gregory Hill, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-203.201 Inmate Trust Fund.

(1) The following are the policies of the department with respect to money received for the personal use or benefit of inmates:

(a) through (e) No change.

~~(f) Interest earned on these investments and on the central Inmate Trust Fund Checking Account or any local accounts shall be deposited to the General Revenue Fund.~~

~~(f)(g)~~ An inmate's right to establish an account with a private financial institution does not in any way diminish the provisions of paragraph 33-602.203(5)(a), F.A.C., Control of Contraband, which limits and controls the amount of money an inmate may have in his possession or Rule 33-602.201, F.A.C., Inmate Property, which does not allow inmates to possess checks, credit cards, debit cards, or other negotiables.

~~(g)(h)~~ Pursuant to Section 944.516, F.S., each inmate shall be charged an administrative processing fee of no more than \$6.00 per month for banking services. The fee shall be based upon account activity for the month. An inmate whose account has no activity for the month shall not be assessed a fee for that month. Inmates shall be charged one percent of their total weekly canteen purchases and \$0.50 for each deposit. Inmates housed at Community Work Release Centers (CRC's) ~~(WRC's)~~ will be assessed a \$1.00 fee for each weekly cash draw. These fees are waived for Veterans of the United States Armed Forces who notify and provide

documentation to the department that they have received an honorable discharge from military services ~~been honorably discharged.~~

(h) In an effort to detect and aid in the prevention of the fraudulent use of an inmate's trust fund account, the Department will conduct monthly reviews of inmate trust fund transactions. Suspicious activity will be reported to the Office of the Inspector General for further review.

(i) The Department may place a hold or freeze on an inmate's trust fund account at the request of a law enforcement agency due to an active investigation. The hold or freeze will remain until the Department receives notice to remove it.

(2)(a) All monies from family and friends (cashiers checks, money orders, or certified bank drafts only; no cash or personal checks allowed) shall be mailed pursuant to the instructions provided on Form DC2-363, Money Order Deposit Form For Inmate Deposits, and shall be initially deposited into the Inmate Trust Fund. Form DC2-363 is hereby incorporated by reference. This form may be obtained from any institution, facility, the vendor listed on Form DC2-363, the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P. O. Box 12100, Tallahassee, Florida 32317-2100 or the Forms Control Administrator, ~~Office of Research, Planning and Support Services~~, 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

[http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX)

XXXXX. The effective date of this form is \_\_\_\_ 3-14. Funds must be mailed with the completed Form DC2-363, Money Order Deposit Form For Inmate Deposits, and made payable to vendor listed on Form DC2-363 and include the inmate's name and DC number. Funds will become available for the inmate's use within ten working days after receipt by the vendor, ~~listed on Form DC2-363~~. Every effort shall be made to have funds available sooner. ~~Any money order, cashiers check, or certified bank draft in the amount of \$400 or higher posted to an inmate's account will have a ten day hold placed on the funds. After ten days the funds will be available for the inmate's use.~~ Deposits from family and friends mailed to institutional or other Department addresses including the Bureau of Finance and Accounting, Inmate Trust Fund Section will be returned to the sender. Do not include any letters or notes with your payments, these will be discarded. All other types of payments such as U.S. Treasury Checks, transfers from Private Facilities/County Jails, and business checks should continue to be mailed to the Inmate Trust Fund Address: Florida Department of Corrections, Inmate Trust Fund, Centerville Station, P.O. Box 12100, Tallahassee, FL 32317-2100. Any money order, cashiers check, business check or certified bank draft in the amount of

\$400 or higher posted to an inmate's account will have a ten day hold placed on the funds. On the tenth day the funds will be available for the inmate's use. Deposits processed through the contracted vendor, checks from the State of Florida, U.S. Treasury Checks, transfer checks from contracted facilities and county jails, and work release paychecks are exempt from the 10 day hold.

(b) In accordance with 38 U.S.C. 5301, Veterans Administration (VA) benefit checks are exempt from attachment, levy or seizure. The Department shall not deduct payments for ~~place~~ liens on the inmate's trust fund account for medical co-payments, legal copies, or other Department generated liens from ~~for~~ VA benefits checks mailed directly to the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P. O. Box 12100, Tallahassee, FL 32317-2100.

(c) through (d) No change.

(3)(a) Inmates with sufficient balances in their individual Inmate Trust Fund accounts shall be allowed to spend an amount set by the Secretary not to exceed \$100 a week at the institution's canteen for personal use. Inmates on work release with sufficient balances in their individual Inmate Trust Fund accounts shall be allowed to request a weekly draw set by the Secretary not to exceed \$100 to be expended for personal use. In order to request a expenditure of funds in excess of the authorized canteen limit or weekly draw, the inmate shall complete Form DC2-304, Inmate Trust Fund Special Withdrawal. Form DC2-304 is hereby incorporated by reference. This form may be obtained from any institution or facility or from the Forms Control Administrator, ~~Office of Research, Planning and Support Services,~~ Department of Corrections, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is September 2, 2008. If the withdrawal is for the purpose of making a deposit to a personal account with a private financial institution in the inmate's name, the check drawn upon the Inmate Trust Fund shall be made payable to the private financial institution which has been chosen by the inmate, with the inmate as a reference, and shall be mailed to the private financial institution. If an inmate requests a copy of a cancelled check or requests to stop payment on a check, the inmate shall be responsible for the fees charged to process these transactions. Requests for special withdrawals submitted without the required signatures or on other than the approved form will be returned to the inmate without processing. Inmates wishing to send funds to inmates at other institutions must obtain approval from the wardens at both institutions.

(b) No change.

(4) No change.

(5) When an inmate is released from the control of the Department, and his or her inmate trust account balance

exceeds \$1.00, the inmate's balance in the Inmate Trust Fund at the time of discharge shall be downloaded to the inmate's release gratuity debit card or mailed by check by the Bureau of Finance and Accounting, Inmate Trust Fund Section, within 45 days of the inmate's release to the address provided by the inmate during the release process. However, if deposits of checks, money orders or other negotiable instruments have been made to the inmate's account but have not cleared the account of the payer by the time the inmate is discharged, funds equal to the amount of the uncleared deposits shall be retained in the inmate's trust fund account. Immediately after the deposits have cleared, the balance due the inmate shall be downloaded to the inmate's release gratuity debit card or mailed by check forwarded by mail to the inmate. Inmates being released will be provided with ~~cash or~~ a debit card for travel and related expenses. For inmates who meet eligibility requirements set forth in Rule 33-601.502, F.A.C., this money shall be in the form of a discharge gratuity. For inmates who are not eligible for discharge gratuities, a hold will be placed on the inmate's trust account and any remaining account balance shall be forwarded as indicated above. Pursuant to Section 717.113, F.S., in the event that funds are unclaimed after a period of one year, the balance shall escheat to the state as unclaimed funds held by a government agency.

(6) through (11) No change.

(12) When necessary for meeting state or federal requirements for demonstrating indigence to the courts, inmates shall be provided with copies of printouts of their trust fund activity for the previous six months upon presentation of information demonstrating litigation – case number (if known), court, completed affidavit of indigency – attached to an inmate request. Application of this provision is limited to those requests which specifically state that the printouts are necessary for this purpose. The printout shall be provided to the inmate by the Bureau of Classification ~~Finance and Accounting, Inmate Trust Fund Section,~~ within 10 working days of receipt of the request. When necessary to meet time constraints within the court system, the printout shall be provided by other means available. Copies will be limited to one per month. Copies shall be authorized in accordance with Rule 33-501.302, F.A.C.

Rulemaking Authority 944.09, 944.151, 944.516, 945.091, 945.215 FS. Law Implemented 17.61, 20.315(12), 57.085, 717.113, 944.09, 944.151, 944.516, 945.091, 945.215 FS. History–New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, 7-13-03, 10-20-03, 1-23-05, 5-12-05, 11-12-06, 9-2-08, 5-26-09, 7-1-13, 3-11-14,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kim Banks, Chief Financial Officer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 20, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 27, 2017

**DEPARTMENT OF CORRECTIONS**

RULE NOS.: RULE TITLES:  
 33-503.001 Chaplaincy Services  
 33-503.002 Marriage of an Inmate While Incarcerated  
 PURPOSE AND EFFECT: The purpose and effect is to amend Rule 33-503.001, F.A.C. to remove outdated language and to amend Rule 33-503.002, F.A.C. to update and clarify the approval process for the marriage of inmates while incarcerated.

SUMMARY: The proposed rulemaking eliminates a reference to the "Office of Education and Initiatives" which is no longer active. Additionally the rulemaking revises the approval process for the marriage of inmates while incarcerated.

**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:

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: 20.315, 944.09, 944.11 FS.  
 LAW IMPLEMENTED: 90.505, 944.09, 944.11, 944.803 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kyle Magee, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

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

- 33-503.001 Chaplaincy Services.
- (1) Organization and Functions.

(a) The Chaplaincy Services Section of the Office of Education and Initiatives is responsible for:

- 1. through 4. No change.
- (b) through (c) No change.
- (2) through (14) No change.

Rulemaking Authority 944.09, 944.11 FS. Law Implemented 90.505, 944.09, 944.11, 944.803 FS. History—New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, 1-9-03, 2-25-08, 9-22-08, 1-25-10, 3-2-11, 10-26-11, \_\_\_\_\_.

- 33-503.002 Marriage of an Inmate While Incarcerated.
- (1) No change.
- (2) Procedure for Consideration of Request.

(a) The staff psychologist and the correctional officer chief at the inmate's institution shall communicate individually, in writing, to the warden as to whether they believe the marriage would pose a threat to any of the following: the inmate's security, the security and order of the institution, or the public safety. If a psychological and security evaluation indicates that the marriage of the inmate will not pose a threat to the inmate's security or the security and order of the institution nor to public safety, a written recommendation from the staff psychologist and the correctional officer chief shall be submitted to the warden.

(b) After receiving both of the above communications, the warden shall, within 30 days, make his or her own determination as to whether the inmate's marriage would pose a threat to the inmate's security, the security and order of the institution, or the public safety. If the warden determines that the marriage would not pose a threat to any of the above-listed items, he or she shall approve the request. The warden's marriage request approval is final. forward the recommendation along with the items listed in subsection 33-503.002(2), F.A.C. to the chaplaincy services administrator.

(c) ~~The chaplaincy services administrator shall review the request for compliance with this rule and forward it with his findings to the secretary or his designee.~~

(c)(d) If the warden approves the marriage request he/she The secretary or his designee shall make the final decision as to whether the marriage presents a threat to the security or order of the institution or to public safety. The warden or his/her his designated representative shall advise the parties in writing of the decision and the basis for the decision.

(d) If the warden determines that the marriage would pose a threat to one of the above-listed items, he or she shall recommend, in writing, to the Regional Director that the request be denied. Such written recommendation shall be accompanied by the documents referenced in paragraph (2)(a). The Regional Director shall only accept the warden's recommendation if he or she determines that the marriage would pose a threat to the inmate's security, the security and order of the institution, or the public safety. The Regional

Director's decision shall be made within 15 days of receiving the above-mentioned documentation from the warden and shall be final.

(3) Procedure for Marriage. If an inmate is permitted to marry while incarcerated, the following shall be followed:

(a) The inmate and the proposed spouse shall be responsible for making all arrangements in keeping with the statutes governing marriage in the State of Florida.

(b) No change

(c) If the inmate will not be furloughed, the department is responsible for the following:

1. No change

2. Arranging for suitable place for the marriage ceremony to be conducted at the institution, and a person ~~an~~ authorized by law ~~person~~ to conduct it.

3. No change

(4) In order to minimize the impact of the ceremony on security, marriage ceremonies shall be of a limited nature. The extent of the individual ceremony shall be limited by the warden such that they would not negatively affect the consistent with the maintenance of proper security and welfare of the institution.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 1-29-81, Amended 4-18-82, Formerly 33-3.13, Amended 5-21-89, 4-23-91, Formerly 33-3.013, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Abraham Uccello, Director of Development  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 27, 2017

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.502  
RULE TITLE: Discharge Gratuity  
PURPOSE AND EFFECT: The purpose and effect of this rule is to delete language that is not included in the statutory language.

SUMMARY: The rule eliminates references “in such amounts as the Legislature may from time to time provide” and “authorized by the Legislature” that is not included in the authorized statutory language.

**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:

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: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gregory Hill, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

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

33-601.502 Discharge Gratuity.

(1) The secretary shall authorize the payment of a discharge gratuity to inmates discharged from the custody of the Department of Corrections, ~~in such amounts as the Legislature may from time to time provide.~~ A discharge gratuity shall be provided to any inmate released on parole, expiration of sentence, pardon or permanent court order, except those inmates released in any of the following situations:

(a) through (d) No change.

(2) through (4) No change.

(5) In hardship cases where, as determined by the Secretary or the Warden, the best interests of the inmate and the state would be served by the payment of more than the standard gratuity, an additional gratuity shall be provided, the total of such gratuity not to exceed twice the standard gratuity, ~~authorized by the Legislature.~~ Consideration for this additional gratuity shall be given to any inmate who has:

(a) through (c) No change.

Rulemaking Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-8-76, Formerly 33-7.06, Amended 1-4-87, 1-1-89, 1-18-89, 12-12-91, 4-14-92, 4-28-99, Formerly 33-7.006, Amended 8-28-01, 2-10-04, 9-21-05, 8-14-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kim Banks, Chief Financial Officer  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 12, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: March 22, 2017

## DEPARTMENT OF CHILDREN AND FAMILIES

### Mental Health Program

RULE NOS.: RULE TITLES:

65E-12.103 Definitions

65E-12.104 Licensing Procedure

65E-12.106 Common Minimum Program Standards

PURPOSE AND EFFECT: This proposed rule updates licensure requirements and practice standards for Crisis Stabilization Units and Short-Term Residential Treatment Programs who are subject to this rule to reflect current treatment practices.

SUMMARY: This proposed rule updates licensure requirements and practice standards for Crisis Stabilization Units and Short-Term Residential Treatment Programs who are subject to this rule to reflect current treatment practices by: updating terms and definitions; and, updating common minimum program standards.

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: Preliminary staff analysis of this proposed rule amendment indicates no increase in transactional costs, regulatory costs, or the other factors set forth in Section 120.541(2), Florida Statutes.

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

RULEMAKING AUTHORITY: 394.457, 394.879, and 394.461 FS.

LAW IMPLEMENTED: 20.19, 381.0035, 386.041, 394.455, 394.457, 394.4572, 394.459, 394.463, 394.66, 394.67, 394.77, 394.875, 394.876, and 394.907 FS.

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

DATE AND TIME: June 7, 2017, 11:00 a.m. – 12:00 p.m. Eastern.

PLACE: Department of Children and Families Headquarters, 1317 Winewood Boulevard, Building 4, Tallahassee, FL 32399. To participate by telephone, the conference call number is 1(888)670-3525, and the passcode is 800 740 0450.

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: . 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: William Hardin. He can be reached at William.Hardin@myflfamilies.com or 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399-0700.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 65E-12.103, F.A.C., follows. See Florida Administrative Code for present text.

65E-12.103 Definitions.

(1) “Advanced Registered Nurse Practitioner” or “ARNP” means any person licensed under Section 464.012, F.S., to practice professional nursing and is certified in advanced or specialized nursing practice.

(2) “Advisory or Governing Board” means a formally constituted group of citizens that advises or directs a program regarding policy. A community facility that is a part of a community mental health center may use the center’s board for policy advice or policy direction.

(3) “Agency” means the Agency for Health Care Administration.

(4) “Consultant Pharmacist” means a licensed pharmacist, as defined in Chapter 465, F.S.

(5) “Crisis Stabilization Unit” or “CSU” means a program as defined in Section 394.67, F.S.

(6) “Department” means the Department of Children and Families.

(7) “Direct Care Staff” means staff who have direct contact with and are responsible for the care of individuals receiving services and specified treatment and rehabilitative activities, as specified in policies and procedures, under the supervision of a mental health professional or registered nurse.

(8) “Discharge Plan” means a written plan describing continuity of care for an individual following discharge from the CSU or SRT, including recommended services, supports, and setting where the individual will reside. The discharge planning process begins at the time of admission and involves the individual and their family, case manager, and other individuals or service providers, as appropriate.



(9) “Emergency Screening” means a process in which an individual receives a preliminary determination of the type, extent, and immediacy, of his or her treatment needs.

(10) “Individual” or “Individual Receiving Services” means an individual who either voluntarily seeks admission or for whom involuntary admission is sought under Section 394.463, F.S., and who receives screening, evaluation, or treatment services from an entity that is operated, funded, or regulated by the Department.

(11) “Licensed Practical Nurse” means any person who is licensed to practice practical nursing under Chapter 464, F.S.

(12) “Mental Health Professional” means a psychiatrist, psychiatric nurse, clinical psychologist, marriage and family therapist, mental health counselor, or clinical social worker, as defined in Section 394.455, F.S.

(13) “Nursing Assessment” means a general evaluation, begun immediately upon admission and completed within 24 hours, conducted by a registered nurse. It is not intended to serve as the physical examination required under Section 394.459, F.S., unless it is performed as a physical examination by an ARNP.

(14) “Peer Review” means the review of a staff member’s professional work by comparably trained and qualified individuals performing similar tasks.

(15) “Physical Examination” means an evaluation performed by a licensed physician or by an ARNP under the supervision of a licensed physician, or by a physician assistant.

(16) “Physician” means a person who is licensed under Chapter 458 or 459, F.S.

(17) “Physician Assistant” or “PA” means a person who is licensed to perform medical services delegated by a supervising physician under Chapter 458 or 459, F.S.

(18) “Policies and Procedures” means written standards, methods, and guidelines that govern the operation of the program, assure compliance with these rules and applicable statutes, and ensure the coordinated delivery of quality acute care treatment services that are designed to improve treatment outcomes.

(19) “Psychiatrist” means a person who is licensed under chapter 458 or chapter 459, and as defined in Section 394.455, F.S. (21) “Quality Assurance” means a process, including peer review and utilization review, designed to evaluate the quality of care of a program and to promote efficient and effective screening, evaluation, and treatment services. Crisis stabilization units and SRTs that are a part of a community mental health center, as defined in Section 394.907, F.S., may be included in that organization’s quality assurance program.

(20) “Receiving Facility” means a public or private facility designated as defined in Section 394.455, F.S.

(21) “Registered Nurse” means any person who is licensed to practice professional nursing under Chapter 464, F.S.

(22) “Rehabilitative Services” means services and supports that are collaborative, person-directed, and individualized to promote recovery, full community integration, and improved quality of life for an individual diagnosed with any mental health condition impairing his or her ability to lead a meaningful life. These services help an individual develop skills and access resources needed to increase his or her capacity to be successful and satisfied in the living, working, learning, and social environments of his or her choice.

(23) “Restraint” as defined in Section 394.455, F.S.

(24) “Seclusion” as defined in Section 394.455, F.S.

(25) Service Plan” means a written statement of the long-term view, goals, and objectives to be achieved with the individual receiving services and the means for attaining those objectives.

(26) “Short-term Residential Treatment Program” or “SRT” means a state-supported acute care residential alternative service that operates 24 hours per day, 7 days per week and is typically of 90 days or less in duration, and which is an integrated part of a designated public receiving facility and receiving state mental health funds under the authority of Chapter 394, F.S. The purpose of an SRT is to provide intensive short-term treatment to individuals who are temporarily in need of a 24-hour-a-day structured therapeutic setting in a less restrictive, but longer-stay alternative to hospitalization.

(27) “Treatment” means the clinical care of an individual who has been determined to have a mental illness.

(28) “Usable Client Space” means the sum, in gross square feet, of all rooms, interior wall to interior wall, that are part of a CSU or SRT. Mechanical and electrical rooms, administrative and staff offices, screening areas, nurses’ stations, visitor and reception areas, crawl spaces, and attic spaces, are excluded.

(29) “Utilization Review” means the process of using predefined criteria to evaluate the necessity and appropriateness of services and allocated resources to ensure that a program’s services are necessary, cost-efficient, and effectively provided.

Rulemaking Authority 394.879(1) F.S. Law Implemented 394.455, 394.459, 394.463, 394.67, 394.875, 394.907 FS. History—New 2-27-86, Amended 7-14-92, Formerly 10E-12.103, Amended 9-1-98,

Substantial rewording of Rule 65E-12.104, F.A.C., follows. See *Florida Administrative Code* for present text.

65E-12.104 Licensing Procedure.

(1) Every entity operating as a CSU or SRT is required to obtain a license from the Agency unless specifically excluded from licensure under the provisions of Section 394.875, F.S. All applicants for licensure must comply with the requirements of Chapter 394, Parts I and IV, F.S., Chapter 408, Part II, F.S., and Chapter 59A-35, F.A.C.

(2) Accredited Programs. CSUs and SRTs which are accredited by The Joint Commission (TJC), Council on Accreditation (COA) or Commission on Accreditation of Rehabilitation Facilities (CARF) shall provide proof of accreditation as required by Section 394.741, F.S. Application for licensure by accredited programs does not preclude monitoring by the Department, the Agency and fire marshal, and compliance with the provisions of these rules.

(3) Liability Insurance Coverage. (a) Applicants shall provide proof of professional liability insurance coverage from an authorized insurer in an amount not less than \$300,000 per occurrence with a minimum annual aggregate of not less than \$1,000,000.

(b) Applicants shall provide proof of general liability insurance coverage from an authorized insurer in an amount not less than \$300,000 per occurrence with a minimum annual aggregate of not less than \$1,000,000.

(4) A license issued by the Agency, under this rule, shall be posted in a conspicuous place on the premises and shall state the type of service to be performed by the licensee and the maximum bed capacity of the CSU or SRT.

(5) Certification of Authorized Beds. The Agency shall issue a license certifying the number of authorized beds and available appropriation for each facility as determined by the Department based upon existing need, geographic considerations, and available resources. The Department formula, ten CSU beds per 100,000 general population, may be used as a guideline.

(6) Program Closure. If a licensee voluntarily closes a facility licensed under this rule, the licensee shall notify the Agency, the Department, and the managing entity under contract with the Department, in writing, at least 30 days prior to such closure. The CSU or SRT that is closing, with the assistance of the managing entity under contract with the Department, shall attempt to relocate each individual receiving services, with the individual's lawful consent, to another CSU or SRT along with their clinical records and files. The licensee shall notify the Agency, the Department, and the managing entity under contract with the Department, where the clinical records and files of previously discharged individuals are and where they will be stored for the legally required period.

Rulemaking Authority 394.457(5), 394.879(1) FS. Law Implemented 394.457, 394.4572, 394.875, 394.876, FS. History—

New 2-27-86, Amended 7-14-92, Formerly 10E-12.104, Amended 9-1-98, \_\_\_\_\_.

Substantial rewording of Rule 65E-12.106, F.A.C., follows. See *Florida Administrative Code* for present text.

65E-12.106 Common Minimum Program Standards.

(1) Advisory or Governing Board. The CSU or SRT shall have either a formally constituted advisory or governing board for the CSU or SRT or operate under a provider board which has ultimate authority for establishing policy and overseeing the operation of the CSU or SRT. The board shall operate under a mission statement and a set of bylaws governing its operation.

(a) Selection and Terms of Office. If an advisory or governing board exists, the method of selection of members and terms shall be specified in the corporate bylaws of the corporation. The membership of such an advisory or governing board shall include broad representation from the professional disciplines and the community, including a consumer and a consumer's family member, and shall meet quarterly.

(b) Records. Records of the CSU or SRT with an advisory or governing board shall include the name, address, and terms of office of members; written minutes of meetings; attendance; and specific recommendations or decisions of the board.

(2) Personnel Policies. Personnel policies shall be made available in writing to all personnel. Policies shall include rules governing the ethical conduct of staff and volunteers, rights and confidentiality of information regarding individuals receiving services.

(a) Performance Evaluation of Staff. An annual performance evaluation of all personnel shall be conducted. The program shall provide for the signature of the employee acknowledging receipt of the evaluation.

(b) Personnel Records. Records on all employees and volunteers shall be maintained by the CSU or SRT. Each employee record, available for employee review shall contain:

1. The employee's current job description with minimum qualifications for the position;

2. The employment application or resume with evidence that references were checked prior to employment;

3. The employee's annual evaluations;

4. A copy of the employee's professional license, if applicable;

5. A receipt indicating that the employee has been trained and understands program policies and procedures, patient rights as stated in Section 394.459, F.S., ethical conduct, and confidentiality of information regarding individuals receiving services;

6. Documentation that the employee has been trained and understands the legal mandate under Section 415.103, F.S., to report suspected abuse and neglect as well as the use of the Florida Abuse Hotline; and

7. Documentation that the employee or volunteer has been fingerprinted and screened, if appropriate, in accordance with Section 394.4572, F.S.

8. Documentation of training as required by Section 381.0035, F.S., for all non-licensed staff.

(c) Fingerprint Screening. All personnel, as defined in Section 394.4572, F.S. shall be screened in accordance with Sections 394.4572, F.S. and 408.809, F.S. Each CSU and SRT shall maintain fingerprint screening records as follows:

1. A current list which identifies, by position title, all positions which require fingerprint screening.

2. A continuously updated record of all active personnel which identifies for each person his position title, date of hire, and the date of the most recent fingerprint screening.

(3) Staff Development and Training. Each CSU and SRT shall provide staff development and training for all facility staff, including part-time, temporary, and volunteers, and shall develop policies and procedures for implementing these activities. Policies and procedures shall be reviewed annually. There shall be a qualified and experienced staff person responsible for staff development and training who is, under the supervision of, or receives consultation from, a mental health professional licensed under Chapter 491, F.S. All staff development and training activities shall be documented and shall include activity or course title; number of contact hours; instructor's name, position and credentials; and date. The participation of each employee shall be documented in accordance with systemic procedures either in the employee's personnel file or staff development and training file.

(4) Financial Records. Financial records that identify all income by source, and report all expenditures by category, shall be maintained in a manner consistent with Chapter 65E-14, F.A.C.

(5) Confidentiality and Clinical Records. Every CSU and SRT shall maintain a record on each individual receiving services, assuring that records and identifying information are maintained in a confidential manner, and securing valid lawful consent prior to the release of information in accordance with Sections 394.459(3) and 394.4615, F.S. All staff shall receive training as part of staff orientation, with periodic update on file, regarding the effective maintenance of confidentiality of clinical records. It shall be emphasized that confidentiality includes oral discussions regarding individuals receiving services inside and outside the CSU or SRT and shall be discussed as part of employee training.

(a) Clinical Record System. Each CSU and SRT shall have policies and procedures, in accordance with Sections

394.459(3), and 394.4615, F.S., for a clinical record system. The clinical record is the focal point of treatment documentation and is a legal document. Entries placed in the clinical record to document the individual's progress or facility's actions must be objective, legible, accurate, dated, timed when appropriate, and authenticated with the writer's legal signature, title and discipline. The clinical record shall be organized and maintained for easy access. Clinical record services shall be the responsibility of an individual who has demonstrated competence and training or experience in clinical record management. Adequate space shall be provided for the storage and retrieval of the records. The records shall be kept secure from unauthorized access, and each program shall adopt policies and procedures which regulate and control access to and use of clinical records.

(b) Record Retention and Disposition. An individual's complete clinical record shall be retained for a minimum period of 7 years following discharge, as provided by Section 95.11(4)(b), F.S.

(c) Content of Clinical Records. The required signature of treatment personnel shall be original as opposed to the facsimile. Policies and procedures shall require the clinical record to clearly document the extent of progress toward short-term objectives and long-term view. Clinical record documentation for each order or treatment decision shall include its respective basis or justification, actions taken, description of behaviors or response, and staff evaluation of the impact of the treatment on the individual's progress. Clinical records shall contain:

1. The name and address of the individual receiving services;

2. Name, address, and telephone number of guardian, representatives, or others as specified by the individual receiving services, in accordance with Chapter 65E-5, F.A.C.;

3. The source of referral and relevant referral information;

4. Intake interview and initial physical assessment;

5. The signed and dated informed consent for treatment as mandated under Sections 394.459(3) and 394.4615, F.S.;

6. Documentation of orientation to program and program rules;

7. The medical history and physical examination report with diagnosis;

8. The report of the mental status examination and psychosocial, psychological, nursing, rehabilitation, nutritional, and mental health assessments as appropriate;

9. The original service plan developed, dated and signed by the individual receiving services and treatment staff. The plan shall contain short-term treatment objectives that relate to crisis stabilization and the description and frequency of services to be provided.;

10. The signed and dated service plan reassessments and reviews;

11. Examination, diagnosis and progress notes by physician, nurses, treatment staff and other mental health professionals that relate to the service plan objectives;

12. Laboratory and radiology results, if applicable;

13. Documentation of seclusion or restraint observations as specified in 65E-5, F.A.C., if utilized;

14. A record of all contacts with medical and other services;

15. A record of medical treatment and administration of medication, if administered;

16. An original or original copy of all physician medication and treatment orders;

17. Signed consent for the release of information, if information is released;

18. An individualized discharge plan;

19. All appropriate forms mandated under Chapter 65E-5, F.A.C.;

20. A current, originally authorized CF-MH 3084, Feb 2005, "Baker Act Service Eligibility," which is incorporated by reference for all individuals receiving services; and

21. If the individual receiving services has a community case manager, documentation of contacts between the community case manager and CSU or SRT staff and the person receiving service.

(6) Consent to Treatment. Any CSU or SRT rendering treatment for mental illness to any individual, pursuant to Chapter 394, F.S., and Chapter 65E-5, F.A.C., shall have on file a valid and signed informed consent for treatment, CF-MH 3042a, Feb 05 and CF-MH 3042b, Feb 05.

(7) Admission and Discharge Criteria. Each CSU and SRT shall develop and utilize policies and procedures pursuant to Chapter 394, F.S., for the intake, screening, admission, referral, disposition, and notification of the individual or their guardians, representatives, or others as specified by the individual seeking treatment. There shall be adequate intake procedures to ensure that individuals being received from an emergency room, agency, facility, or other referral source shall have all the required paperwork and documentation for admission. If an individual has a case manager, the case manager shall be notified and shall provide appropriate information and participate in the development of the discharge plan. Individuals receiving services, guardians, or others as specified by the individual receiving services shall be informed of their eligibility or ineligibility status for publicly funded CSU or SRT services, either at admission or shortly thereafter, pursuant to Chapters 65E-5 and 65E-14, F.A.C.

(a) Mental Illness Criteria. All persons admitted shall meet the criteria defined under Section 394.455(28), 394.4625, or 394.463, F.S.

(b) Supervisory Clinical Review. The program policies and procedures shall specify administrative procedures for the ongoing review of clinical decisions regarding admission, treatment, and disposition. This shall include staffings, individual supervision, and record reviews.

(c) Orientation to Program and Abuse Reporting. Each CSU and SRT shall conduct and document an orientation session with each individual receiving services, guardians, and others as specified by the individual receiving services, regarding admission and discharge standards, rules, procedures, activities and concepts of the program. A written copy of the above shall be provided to individuals receiving services and their guardians. Individuals receiving services shall be informed in writing of rights, protection standards, possible searches and seizures, in-house grievance protocol, function of the human rights advocacy committee and current procedures for reporting abuse, neglect, or exploitation to the Abuse Hotline as required by Section 415.1034, F.S. Programs shall not discourage or prevent anyone from contacting the Abuse Hotline.

(8) Protection of Individuals Receiving Services. Unless abridged by a court of law, the rights of individuals who are admitted to CSU and SRT programs shall be assured as mandated under Chapter 394, Part I, F.S., and Chapter 65E-5, F.A.C. Each CSU and SRT shall be operated in a manner that protects the individual's rights, life, and physical safety while receiving evaluation and treatment. In addition to all rights granted under Chapter 394, Part I, F.S., individuals receiving services shall be:

(a) Assigned a primary therapist or counselor; and

(b) Assured that any search or seizure is carried out in a manner consistent with program policies and procedures to ensure safety and security and is consistent with therapeutic practices.

1. Searches and Seizures. Whenever there is a reason to believe that the security of a facility or the health of anyone is endangered or that contraband or objects which are illegal to possess are present on the premises, a search of an individual's room, locker, or possessions shall be conducted if authorized by the program director or designee, as defined in program policies and procedures.

2. Presence of Individual. Whenever feasible, the individual receiving services shall be present during a search.

3. Absence of Individual. When it is impossible for the individual to be physically present during the search, they shall be given prompt written notice of the search and of any article confiscated.

4. Documentation. Written reports of all searches shall be documented in the individual's clinical record. A written inventory of items confiscated shall be forwarded to the program director or designee.

(c) Facility policy shall prohibit any retaliation or reprisal against either the individual or against staff for reporting suspected abuse, neglect or exploitation, or violations of the individual's rights. A copy of this facility policy shall be posted in a common area and provided to individuals receiving services upon request.

(9) Quality Assurance Program. Every CSU and SRT shall comply with the requirements of Section 394.907, F.S.

(a) Inclusions. Every CSU and SRT shall have, or be an active part of, an established multidisciplinary quality assurance program and develop a written plan which addresses the minimum guidelines to ensure a comprehensive integrated review of all programs, practices, and facility services, including the following: facilities safety and maintenance; care and treatment practices; resource utilization review; peer review; infection control; records review; maintenance of clinical records; pharmaceutical review; professional and clinical practices; curriculum, training and staff development; and incidents with appropriate policies and procedures. The quality assurance program must include:

1. Composition of quality assurance review committees and subcommittees, purpose, scope, and objectives of the quality assurance committee and each subcommittee, frequency of meetings, minutes of meetings, and documentation of meetings;

2. Procedures to ensure selection of both difficult and randomly selected cases for review;

3. Procedures to be followed in reviewing cases and incident reports;

4. Criteria and standards used in the review process and procedures for their development;

5. Procedures to be followed to assure dissemination of the results and verification of corrective action;

6. Tracking capability of incident reports, pertinent issues and actions; and

7. Procedures for measuring and documenting progress and outcome of individuals receiving services.

(b) Process. The quality assurance program shall conduct two separate complementary review processes on a monthly basis to include peer review and utilization review. The effects of the peer and utilization reviews shall ensure the following.

1. The admission is necessary and appropriate.

2. The services are the least restrictive means of intervention.

3. Rights are being protected.

4. Family or significant others are involved in the treatment and discharge planning process as much as feasible with the consent of the individual receiving services.

5. The service plan is comprehensive, relative to the full range of the needs of the individual receiving services at the CSU or SRT.

6. Minimal standards for clinical records are being met as required by subsections 65E-12.106(5) and (6) of this Rule.

7. Medication is prescribed and administered appropriately. All medication errors shall be reported under the CSU or SRT's incident reporting system and subject to internal review by the quality assurance program.

8. There has been appropriate handling of medical emergencies.

9. Special treatment procedures, for example, seclusion and restraints, emergency treatment orders, and medical emergencies, are conducted according to facility policy.

10. High risk situations and special cases are reviewed within 24 hours. These shall include suicide attempts, death, serious injury, violence, sexual assaults, and abuse of any individual.

11. All incident reports are reviewed by the facility director within 3 working days.

12. The length of stay is supported by clinical documentation.

13. Supportive services are ordered and obtained as needed.

14. Continuity of care is provided through care coordination activities.

15. Delay in receiving services is minimal.

(c) The quality assurance committee shall submit a quarterly report to the CSU or SRT director and board of directors for their review and appropriate action.

(10) Event Reporting.

(a) Every CSU and SRT shall report critical events according to CF-OP 215-6 "Incident Reporting And Analysis System (IRAS), April 1, 2013," which is incorporated herein by reference.

(b) Every CSU and SRT shall report each seclusion and restraint event as required by Chapter 65E-5, F.A.C.

(c) Every CSU and SRT shall develop policies and procedures for reporting to the Department critical events in accordance with Department CF-OP 215-6 and Chapter 65E-5., F.A.C.

(11) Data. Every CSU and SRT shall participate in reporting data as mandated under Section 394.461, F.S.

(12) Facility Standards for Facilities Licensed Prior to or on July 14, 1993.

(a) Building Construction Requirements.

1. Construction, additions, refurbishing, renovations, and alterations to existing facilities shall comply with the following codes and standards:

a. The building codes described in Rule 61G20-1.001, F.A.C., the Florida Building Code;

b. The fire codes contained in Chapter 69A-44, F.A.C. "Minimum Fire Safety Standards for Residential Alcohol and Drug Abuse Treatment and Prevention Programs, Mental Health Residential Treatment Facilities and Crisis Stabilization Units," as described in the National Fire Protection Association (N.F.P.A.) 101, Chapters 18 and 19, Special Definitions, as adopted by the Florida Fire Prevention Code, as applicable to limited health care facilities, which is included by reference in Chapter 69A3, F.A.C.; and

c. The accessibility by physically disabled persons standards in Chapter 553, Part II, F.S.;

2. Modernization or Renovation. Any alteration, or any installations of new equipment, shall be accomplished as nearly as practical in conformance with the requirements for new construction and accessibility. Alterations shall not diminish the level of safety or usable client space below that which exists prior to the alteration. Life safety features which do not meet the requirements for new buildings but exceed the requirements for existing buildings shall not be further diminished. Life safety features in excess of those required for new construction are not required to be maintained. In no case shall the resulting life safety be less than that required for existing buildings.

3. Sewage, including liquid wastes from cleaning operations, shall be disposed of in a public sewage system or other approved sewage system in accordance with Chapters 381, F.S., and 64E-6, F.A.C., Standards for Onsite Sewage Treatment and Disposal Systems or Chapter 62-600, F.A.C., Domestic Wastewater Facilities.

4. All sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.

5. All plumbing shall comply with the requirements of Florida Building Code, Plumbing.

6. The water supply must be adequate, of safe and sanitary quality and from an approved source in accordance with Chapters 381, F.S., and 64E-8, F.A.C., Drinking Water Systems.

7. Heat shall be supplied from a central heating plant or by an approved heating system in accordance with Chapter 69A-3, F.A.C.

(b) Building Construction Requirements for Facilities Licensed After July 14, 1993.

1. New facility construction and additions, refurbishing, renovations, and alterations to existing facilities shall comply with the following codes and standards:

a. The building codes described in the 61G20-1.001, F.A.C; the Florida Building Code.

b. The fire codes contained in Chapter 69A-44, F.A.C. "Minimum Fire Safety Standards for Residential Alcohol and Drug Abuse Treatment and Prevention Programs, Mental Health Residential Treatment Facilities and Crisis Stabilization Units," as described in the NFPA 101, Chapters 18 and 19, Special Definitions, as adopted by the Florida Fire Prevention Code, as applicable to limited health care facilities, which is included by reference in Chapter 69A-3, F.A.C.; and

c. The accessibility requirements of the Florida Building Code, Accessibility.

2. All plumbing shall comply with the requirements of the Florida Building Code, Plumbing.

3. No unsprinklered building classification as defined in the Florida Building Code, Building, is allowed. All facilities shall be protected throughout by an approved automatic sprinkler and smoke detection system to include a smoke detector in every bedroom. Provision shall be made for automatic emergency forces notification.

4. Surge protection in compliance with the National Electric Code, Article 280, as incorporated by reference in Chapter 27 of the Florida Building Code, Building, shall be installed to protect each service entrance equipment and have integral visual indication of surge protector failure. Additional surge protection shall be provided for all low-voltage and power connections to all electronic equipment and conductors entering or exiting the building and other life safety systems.

(13) Health and Safety.

(a) Disaster Preparedness.

1. Each CSU and SRT shall have, or operate under, a safety committee with a safety director or officer who is familiar with the applicable local, state, federal and National Fire Protection Association safety standards. The committee's functions may be performed by an already existing committee with related interests and responsibilities.

2. Each CSU and SRT shall have, or be a part of, a written internal and external disaster plan, developed with the assistance of qualified fire, safety and other experts.

a. The plan and fire safety manual shall identify the availability of fire protection services and provide for the following:

(I) Use of the fire alarm;

(II) Transmission of the alarm to the fire department;

(III) Response to the alarm;

(IV) Isolation of the fire;

(V) Evacuation of the fire area or facility utilizing posted evacuation routes;

(VI) Preparation of the residents and building for evacuation;

(VII) Fire extinguishment;

(VIII) Descriptive procedures for the operation and maintenance of fire equipment;

(IX) Procedures for staff training and the provision of monthly fire drills rotated so that all shifts have at least one fire drill quarterly;

(X) Documentation of monthly and periodic professional inspections of equipment; and

(XI) Provision for annual review and revision of the fire safety manual and plan.

b. The plan shall be made available to all facility staff and posted in appropriate areas within the facility.

c. There shall be records indicating the nature of disaster training and orientation programs offered to staff.

(b) Fire Safety. CSUs and SRTs shall comply with Chapter 69A-44 , F.A.C., all federal and local fire safety standards. Local fire codes which are more stringent standards, or add additional requirements, shall take precedent over the minimum requirements set forth in this rule.

(c) Personal Safety. The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition, as required in Section 386.041, F.S., Nuisances Injurious to Health.

(d) Health and Sanitation.

1. Appropriate health and sanitation inspections shall be obtained before occupying any new physical facility or addition. A report of the most recent inspections must be on file and accessible to authorized individuals.

2. Hot and cold running water under pressure shall be readily available in all washing, bathing and food preparation areas. Hot water in areas used by individuals being served shall be at least 100 degrees Fahrenheit but not exceed 120 degrees Fahrenheit.

3. Garbage, Trash and Rubbish Disposal.

a. All garbage, trash, and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a potential health hazard or at least twice per week. Wet garbage shall be collected and stored in impervious, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin and shall comply with the provisions of Section 386.041, F.S.

b. If public or contract garbage collection service is available, the facility shall subscribe to these services unless the volume makes on-site disposal feasible. If garbage and trash are disposed of on premises, the method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of Chapter 62-701, F.A.C.

(14) Food Services.

(a) At least three nutritious meals per day and nutritional snacks, shall be provided each individual receiving services.

No more than 14 hours may elapse between the end of an evening meal and the beginning of a morning meal. Special diets shall be provided when an individual requires it. Under no circumstance may food be withheld for disciplinary reasons. Menus shall be reviewed and approved in advance at least quarterly by a Florida registered dietitian.

(b) For food service areas with a capacity of 13 or more individuals, all matters pertaining to food service shall comply with the provisions of Chapter 64E-11, F.A.C.

(c) Third Party Food Service. When food service is provided by a third party, the provider shall meet all conditions stated in this section, and shall comply with Chapter 64E-11, F.A.C. There shall be a formal contract between the facility and provider containing assurances that the provider will meet all food service and dietary standards imposed by this rule. Sanitation reports and food service establishment inspection reports shall be on file in the facility.

(15) Housekeeping and Maintenance. Every CSU and SRT shall have housekeeping and maintenance standards which meet the following criteria:

(a) Facilities shall be clean, in good repair, and free of hazards such as cracks in floors, walls, or ceilings; warped or loose boards, tile, linoleum, hand rails or railings; broken window panes; and any similar type hazard.

(b) The interior and exterior of the building shall be clean and in good repair. Loose, cracked or peeling wallpaper or paint shall be promptly replaced or repaired to provide a satisfactory finish.

(c) All furniture and furnishings shall be clean and in good repair, and contribute to creating a therapeutic environment.

(d) An adequate supply of linen shall be maintained to provide clean and sanitary conditions for each individual at all times.

(e) Mattresses and pillows shall have fire retardant covers or similar protection for fire safety and sanitation purposes.

(16) Compliance with Statutes and Rules. The program director or administrator shall ensure that the program complies with Chapter 394, F.S., and Chapters 65E-5 and 65E-14, F.A.C., and these Rules.

(17) Register of Individuals and Census. An admission and discharge logbook shall be maintained which lists individuals admitted sequentially by name with identifying information about each including age, race, sex, county of residence, disposition, and the actual location to which the individual was discharged or transferred. A daily census record shall be maintained which includes the name of individuals on the unit and on authorized pass. This may be maintained electronically, but shall be easily accessible to all relevant facility staff and administrators.

(18) Pharmaceutical Services.

(a) Every CSU and SRT shall handle, dispense or administer drugs in accordance with Chapters 465, 499, and 893, F.S.

(b) The professional services of a consultant pharmacist shall be used in the delivery of pharmaceutical services. Standards, policies and procedures shall be established by the consultant pharmacist for the control and accountability of all drugs kept at the program.

(c) Medication Orders. All orders for medications shall be issued by a Florida licensed physician.

(19) Emergency Medical Services. Every CSU or SRT shall have written policies and procedures for handling medical emergency cases which may arise subsequent to an individual's admission. All staff shall be familiar with the policies and procedures.

(a) Emergency Treatment Orders. Policies and procedures shall be written to address the use of emergency treatment orders as specified in Chapter 394, Part I, F.S. and Chapter 65E-5, F.A.C.. They shall address the following:

1. Emergency treatment orders shall be initiated only upon direct order of a physician or psychiatrist;

2. The clinical justification shall be documented in the clinical record; and

3. The use of standing, pro re nata (PRN), or routine orders for emergency treatment orders is prohibited.

(b) Cardiopulmonary Resuscitation and Choke Relief. All nurses and direct service staff shall be trained to practice basic cardiopulmonary resuscitation (CPR) and choke relief technique at employment or within 6 months of employment and have a refresher course at least every 2 years. There shall be one person on the premises at all times who is CPR certified and proficient in choke relief techniques. Training shall be documented in the personnel record of the employee. Consent for referral and the disclosure of vital information is not required in life-threatening situations.

(c) Medical Kit and Emergency Information. A physician, psychiatrist, consultant pharmacist, and registered nurse, designated by the program director or administrator, shall select drugs and ancillary equipment to be included in an emergency medical kit. The kit shall be maintained at the program and safeguarded in accordance with laws and regulations pertaining to the specific items included. A list of emergency programs and poison centers shall be maintained near a telephone for easy access by all staff.

(20) Protection of Individuals Receiving Services.

(a) Unauthorized Entry or Exit. Each CSU and SRT shall have policies and procedures regarding unauthorized entry to or exit from the unit.

(b) Control of potentially injurious items.

1. Policies and procedures shall prohibit the transmittal onto or carrying onto the unit sharps, flammables, toxins,

weapons, caustic chemicals, rope, or other items potentially injurious to individuals on the unit.

2. Therapeutic activity materials shall also exclude similarly potentially hazardous items such as bats, paddles, mallets, knives, ropes, cords, wire clothes hangers, wire, sharp pointed scissors, luggage straps, and sticks.

3. Housekeeping supplies and chemicals shall, whenever practical, be non-toxic or non-caustic. The unit shall implement procedures to avoid access by individuals receiving services during use or storage.

4. Nursing and medical supplies including drugs, sharps, and breakables shall be safeguarded from access by individuals receiving services through storage, use, and disposal processes.

(c) Use of Restraint or Seclusion. Each CSU and SRT shall develop and maintain detailed policies and procedures for the use of seclusion and restraint, in accordance with Chapter 65E-5, F.A.C. Such policies and procedures shall be readily available to CSU and SRT staff, individuals served, guardians, and others as specified by the individual.

(d) Suicide Precaution.

1. Suicide precaution is for the protection of individuals who have been assessed to be potentially suicidal and require a higher level of supervision.

2. The modification or removal of suicide precautions shall require clinical justification determined by an assessment and shall be specified by the attending physician and documented in the clinical record. A registered nurse, clinical psychologist or other mental health professional may initiate suicide precautions prior to obtaining a physician's or psychiatrist's order, but in all instances must obtain an order within 1 hour of initiating the precautions. Telephone orders shall be reviewed and signed by a physician within 24 hours of their initiation.

3. Each CSU shall develop policies and procedures for implementing suicide precautions addressing: assessment, staffing, levels of observation and documentation. Policies and procedures shall require constant visual observation of individuals clinically determined to be actively suicidal.

(e) Other high risk behaviors, such as elopement and assaultive behavior, shall be addressed in the CSU and SRT policies and procedures.

(21) Nursing Services.

(a) Medical Prescription. Registered nurses shall ensure that each physician's or psychiatrist's orders are followed. When a determination is made that the orders have not been followed or were refused by the individual being served pursuant to Section 394.459(3), F.S., the physician or psychiatrist shall be notified within 24 hours. The registered nurse or nursing service shall substantiate this action through documentation in the individual's clinical record.



(b) Nursing Standards. Each CSU and SRT shall develop and maintain a standard manual of nursing services which shall address medications, treatments, diet, personal hygiene care and grooming, clean bed linens and environment, and protection from infection.

(22) Continuity of Care. Upon admission, all individuals receiving services, in both a CSU and SRT shall be assessed for the need of case management services. If determined to need case management services, the individual shall be linked to a case manager in the community.

(23) Children. Every CSU and SRT which serves individuals under 18 years of age shall define, in policies and procedures, the services and supervision to be provided to the children. Minors under the age of 14 years shall not be admitted to a bed in a room or ward with an adult. They may share common areas with an adult only when under direct visual observation by unit staff. This shall be reviewed and documented on a daily basis.

(24) Collocation.

(a) Collocation means the operation of CSU and SRT, or CSU and substance abuse detoxification services from a common nurses' station without treatment system integration. It may result in the administration of those services by the same organization and the sharing of common services, such as housekeeping, maintenance and professional services. A CSU shall be separated and secured by locked doors from the SRT and detoxification units.

(b) Whenever a CSU is collocated with an SRT or substance abuse detoxification unit there shall be no compromise in CSU standards. In all instances, whenever there is a conflict between CSU rules and SRT, substance abuse rules, the more restrictive rules shall apply.

(c) Individuals receiving CSU, SRT, and detoxification services shall not commingle or share a common space unless individually authorized by a physician's or psychiatrist's written order to participate in specific treatment and evaluation activities on other units as specified in the individual's service plan. Service plan documentation shall include: type of activity, supervision, frequency of activity, and duration of each activity session.

(d) Collocation Staffing Requirements. CSU and SRT, or CSU and detoxification staff may be shared if the individual served -staff ratio is not violated and the health, safety and welfare of the individual is not jeopardized. When services are collocated and staff resources are shared, the staffing pattern shall be the more restrictive as required by this rule, based on the combined total number of beds. When the combined number of beds exceeds 30, nursing and direct service staff shall not be shared.

(25) Passes.

(a) A physician's order shall be written in accordance with unit policies and procedures specifying each occasion that an individual receiving services is permitted off unit and consistent with the service plan.

(b) Each written order shall specify: the clinical basis for the order; the necessity and purpose of the order; the level of supervision while off the unit; the staff designated responsible for the individual receiving services; and the authorized time of departure and return deadline which cannot exceed 24 hours for CSUs and 48 hours for SRTs.

(26) Smoking. Each CSU and SRT shall designate smoking areas or declare the facility non-smoking and shall post signs to so indicate. Areas frequented by smokers and non-smokers shall not be designated a smoking area. The facility shall ensure the operation of adequate smoke evacuation mechanisms to maintain a healthful air quality throughout.

(27) Personal Items. Individuals receiving services in CSUs and SRTs are entitled to wear their own clothing except when this right is restricted for safety. This restriction must be fully justified in the clinical record. Policies and procedures shall be developed which describe the utilization of special clothing, or describe unit restrictions concerning other potentially hazardous personal articles, such as sharps and ingestibles.

(28) Universal Infection Control. Each CSU and SRT shall develop and implement policies and procedures for universal infection control and prevention to protect people from blood and body fluid borne disease. Specific procedures shall include management of individuals who potentially have infectious diseases, such as Hepatitis B, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), or other infectious diseases. These procedures shall include: isolation, specific infection control techniques, availability of proper equipment, proper disposal of potentially infected waste, transfer, and the release of confidential information to select unit medical and direct care staff on a need-to-know basis. Any testing for HIV shall be done in accordance with Chapters 381, F.S., and 64D-2, F.A.C. Policies and procedures shall be regularly updated to include information provided by the department and the Center for Disease Control. All biohazardous waste shall be handled and disposed in accordance with Chapters 381, F.S., and 64E-16, F.A.C.

(29) HIV and AIDS Education Requirements . Each CSU and SRT shall meet the educational requirements for HIV and AIDS education pursuant to Section 381.0035, F.S., for each employee and individual receiving services and maintain records of such training.

(30) Unit operating policy and procedure manuals shall be organized and maintained for easy access and reference and

available to all facility staff at all times. The CSU and SRT shall have a copy of Chapter 394, F.S., Chapters 65E-5 and 65E-12, F.A.C., on the unit available to all staff and individuals receiving services at all times.

(31) CSUs and SRTs shall ensure that the unit’s licensed professionals and other unit staff function together under a set of written reciprocal unit protocols. These protocols shall establish the sequence of activities to be performed, designate authorized or responsible personnel, and establish standards for the accuracy, completion, and comprehensiveness of activities.

Rulemaking Authority 394.461(6), 394.879(1), FS. Law Implemented 20.19, 381.0035, 386.041, 394.455, 394.457, 394.459, 394.463, 394.66, 394.77, 394.875, 394.907 FS. History—New 2-27-86, Amended 7-14-92, Formerly 10E-12.106, Amended 9-1-98, 10-4-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ute Gazioch, Director, Office of Substance Abuse and Mental Health, Department of Children and Families

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary, Department of Children and Families

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 7, 2015

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-13.003  
RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to establish regulations for taking ducks, geese, and coots to conform with federal regulations. The effect of the proposed rule amendment would be to decrease the bag limit for pintails from two to one, and to increase the bag limit for black ducks from one to two.

SUMMARY: The proposed rule amendment updates the hunting regulations pertaining to ducks, geese, and coots.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the

statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

DATE AND TIME: During the Commission’s regular meeting July 10-11, 2017, 8:30 a.m. each day.

PLACE: Orange County Convention Center, West Building – Room WF3, 9800 International Drive, Orlando, Orlando, FL 32819

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

68A-13.003 Hunting Regulations for Ducks, Geese, and Coots.

The Commission has approved the following regulations and bag limits for taking ducks, geese, and coots:

(1)(a) through (e) No change.

(f) Limits: The possession limit for ducks and coots shall be three days’ bag limit. There shall be no possession limit for light geese. Light geese include only snow (including blue) and Ross’ geese.

1. Ducks: The daily bag limit for ducks is six, including no more than four mallards, of which only two can be females, two scaup, four scoters, four eiders, four long-tailed ducks, three wood ducks, two redheads, ~~one~~ two pintails, two canvasbacks, ~~two~~ one black ducks, one Florida duck (mottled

duck), and one fulvous whistling-duck. In addition to the daily bag limit for ducks, the daily bag limit for mergansers is five, only two of which may be hooded mergansers.

2. through 3. No change.  
 (2) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 10-23-79, 8-19-80, 9-29-81, 8-30-82, 7-27-83, 8-13-84, 8-13-85, 10-1-85, Formerly 39-13.03, Amended 8-5-86, 8-24-87, 8-18-88, 12-12-88, 8-17-89, 10-30-89, 8-9-90, 10-31-90, 8-22-91, 10-31-91, 8-23-92, 10-22-92, 9-2-93, 10-28-93, 11-6-94, 10-23-95, 10-20-96, 8-7-97, 10-28-97, 11-12-98, 6-23-99, Formerly 39-13.003, Amended 11-7-00, 5-13-02, 5-1-03, 7-1-04, 7-1-05, 2-1-06, 7-1-06, 1-9-07, 1-8-08, 7-1-08, 1-6-09, 1-19-10, 7-1-10, 1-5-11, 3-25-12, 2-12-13, 1-23-14, 1-19-15, 12-21-15, 7-1-16, 7-1-17.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:

Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2017

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

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-16.002 Bald Eagle (*Haliaeetus leucocephalus*)

PURPOSE AND EFFECT: The purposes of this proposed rule revision is to remove the need for a state permit to impact bald eagles or their nests while maintaining the protections afforded by the rule. A federal permit or authorization will be required to legally impact bald eagles or their nests. The effect of this rule revision is to reduce the regulatory burden of bald eagle-related permitting, reduce the duplicative permitting from both a federal and state agency, and maintain bald eagle protections currently in place.

SUMMARY: Currently, to legally impact a bald eagle or its nest, permits are required from both federal and state agencies.

These permitting processes were well aligned with one another until recent changes made to the rules on federal eagle permitting. With these changes, the processes are not well aligned and state permitting is not necessary to ensure ongoing protection of bald eagles and their nests. Therefore, the state bald eagle rule is proposed to be revised to eliminate the need for a state permit while maintaining the protections afforded by the rule.

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

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

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

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

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Brad Gruver, Section Leader, Species Conservation Planning Section, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-16.002. Bald Eagle (*Haliaeetus leucocephalus*).

(1) No person shall take, feed, disturb, possess, sell, purchase or barter; any bald eagle or parts thereof, or their nests or eggs, or attempt to engage in any such conduct, ~~any bald eagle or parts thereof, or their nests or eggs,~~ except when such conduct is authorized by the U. S. Fish and Wildlife Service.

~~(a) As authorized from the executive director by specific permit, which will be issued based upon whether the permit would advance the management plan goal and objectives;~~

~~(b) When such conduct is consistent with the FWC Eagle Management Guidelines;~~

~~(c) When such conduct is consistent with a previously issued permit, exemption, or authorization issued by the FWC under imperiled species regulations (Chapter 68A-27, F.A.C.) or by the USFWS under the Endangered Species Act (U.S.C. 1531 et seq.).~~

(2) For purposes of this section, the term “disturb” is defined as, “To agitate or bother a bald eagle to the degree that causes, or is likely to cause (a) injury to an eagle, (b) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (c) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

(3) On public land, it is unlawful for any person to knowingly enter any area posted as closed for the protection of bald eagles, their nests, or their nest trees, except the staff or authorized agents of the managing public entity for that area, or as authorized pursuant to subsection (1).

~~(4) The section of the Bald Eagle Management Plan entitled “Permitting Framework April 2008,” which includes the FWC Eagle Management Guidelines, is incorporated herein by reference.~~

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223 FS. History—New 5-15-08, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. Thomas H. Eason, Ph.D.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 11, 2017

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-27.003  
RULE TITLE: Florida Endangered and Threatened Species List; Prohibitions

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this rule amendment is to revise the Florida Endangered and Threatened Species List to reflect Federal listing changes. Rule 68A-27.0012(1) of the Florida Administrative Code requires that when species native to Florida are added or reclassified under the Federal Endangered

Species Act (ESA), the species shall be so listed or reclassified in the Florida Administrative Code to reflect the federal designation. Because of recent federal designations, staff is proposing to add two species (Miami tiger beetle and Suwannee moccasinshell to paragraph one of 68A-27.003.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution n; 379.1025, FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution n; 379.2291, FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: : Dr. Brad Gruver, Leader, Species Conservation Planning Section, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.003 Florida Endangered and Threatened Species List; Prohibitions.

(1) Federally-designated Endangered and Threatened species:

(a) through (h) No change

(i) Insects:

1. American burying beetle (*Nicrophorus americanus*)(E),  
2. Cassius blue butterfly (*Leptotes cassius theonus*)(T[S/A]), ceraunus blue butterfly (*Hemiargus ceraunus antibubastus*) (T[S/A]), and nickerbean blue butterfly (*Cyclargus ammon*)(T[S/A]) are listed due to similarity of appearance to Miami blue butterfly (consistent with 77 Fed. Reg. 20948-20986) and as such only the following prohibitions apply to these three species:

a. Incidental take, that is, take that results from, but is not a purpose of, carrying out an otherwise lawful activity will not apply to cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly.

b. Collection of the cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly is prohibited in coastal counties south of Interstate 4 and extending to the boundaries of the State of Florida at the endpoints of Interstate 4 at Tampa

and Daytona Beach. Specifically, such activities are prohibited in the following counties: Brevard, Broward, Charlotte, Collier, De Soto, Hillsborough, Indian River, Lee, Manatee, Pinellas, Sarasota, St. Lucie, Martin, Miami-Dade, Monroe, Palm Beach, and Volusia.

3. Miami blue butterfly (*Cyclargus thomasi bethunebakeri*)(E) (consistent with 77 Fed. Reg. 20948-20986),

4. Schaus swallowtail butterfly (*Heraclides aristodemus ponceanus*)(E).

5. Bartram’s scrub-hairstreak (*Strymon acis bartrami*)(E) (consistent with 79 Fed. Reg. 47222-47244),

6. Florida leafwing (*Anaea troglodyte floralis*)(E) (consistent with 79 Fed. Reg. 47222-47244);

7. Miami tiger beetle (*Cicindelidia floridana*)(E) (consistent with 81 Fed. Reg. 68985-69007).

(j) Mollusks:

1. Chipola slabshell (mussel) (*Elliptio chiplolaensis*)(T),

2. Fat threeridge (mussel) (*Amblema neislerii*)(E),

3. Gulf moccasinshell (mussel) (*Medionidus penicillatus*)(E),

4. Ochlockonee moccasinshell (mussel) (*Medionidus simpsonianus*)(E),

5. Oval pigtoe (mussel) (*Pleurobema pyriforme*)(E),

6. Purple bankclimber (mussel) (*Elliptioideus sloatianus*)(T),

7. Shinyrayed pocketbook (mussel) (*Lampsilis subangulata*)(E),

8. Stock Island tree snail (*Orthalicus reses* [not incl. *nesodryas*])(T).

9. Choctaw bean (*Villosa choctawensis*)(E) (consistent with 77 Fed. Reg. 61664-61719),

10. Round ebonyshell (*Fusconaia rotulata*)(E) (consistent with 77 Fed. Reg. 61664-61719),

11. Southern kidneyshell (*Ptychobranthus jonesi*)(E) (consistent with 77 Fed. Reg. 61664-61719),

12. Fuzzy pigtoe (*Pleurobema strodeanum*)(T) (consistent with 77 Fed. Reg. 61664-61719),

13. Narrow pigtoe (*Fusconaia escambia*)(T) (consistent with 77 Fed. Reg. 61664-61719),

14. Tapered pigtoe (*Fusconaia burki*)(T) (consistent with 77 Fed. Reg. 61664-61719),

15. Southern sandshell (*Hamiota australis*)(T) (consistent with 77 Fed. Reg. 61664-61719);

16. Suwannee moccasinshell (*Medionidus walkeri*)(T) (consistent with 81 Fed. Reg. 69417-69425).

(k) No change.

(2) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-84, 7-1-85, Formerly 39-27.03, Amended 6-1-86, 5-10-

87, 4-27-89, 9-14-93, 6-23-99, Formerly 39-27.003. Amended 12-16-03, 7-20-09, 11-8-10, 11-14-11, 8-23-12, 9-19-12, 6-10-15, 1-11-17;

### Section III

## Notice of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.: 6A-1.0503  
 RULE TITLE: Definition of Qualified Instructional Personnel

#### NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 62, March 30, 2017 issue of the Florida Administrative Register has been withdrawn.

### Section IV

## Emergency Rules

NONE

### Section V

## Petitions and Dispositions Regarding Rule Variance or Waiver

#### DEPARTMENT OF LAW ENFORCEMENT

Division of Local Law Enforcement Assistance

RULE NO.: 11D-8.014  
 RULE TITLE: Blood Alcohol Permit - Analyst: Renewal

NOTICE IS HEREBY GIVEN that on April 20, 2017, the Alcohol Testing Program of the Florida Department of Law Enforcement received a petition for a temporary waiver of Rule 11D-8.014 F.A.C., from Monica Escobar Jacobs. Petitioner wishes to temporarily waive that portion of the Rule that states: “(1) Permits to conduct blood alcohol analyses shall remain valid until otherwise suspended or revoked by the Department. In order to remain qualified for such permit, an analyst must satisfactorily determine the blood alcohol level of at least 2 proficiency samples provided by the Department semiannually...” Blood Alcohol Proficiency Cycles are currently scheduled by the Florida Department of Law Enforcement in April and September of 2017. Petitioner states that Petitioner is a blood alcohol analyst holding a current permit issued by the Florida Department of Law Enforcement; however, Petitioner is presently on leave under the Family Medical Leave Act until June of 2017. As a result of her leave of absence, Petitioner is not performing any blood alcohol analyses and therefore was unable to participate in FDLE

Blood Alcohol Proficiency Cycle 17C1, samples for which were mailed on April 3, 2017, and were due to the FDLE Alcohol Testing Program on April 28, 2017. Petitioner asserts that she would suffer a substantial hardship should the waiver not be granted, as she would be unable to work until she satisfactorily participated in the next Blood Alcohol Permit Proficiency Cycle, samples for which are mailed on September 18, 2017, and are due to the FDLE Alcohol Testing Program on October 13, 2017. Petitioner further asserts that the purpose of the underlying statute would be achieved by the granting of the waiver as her certification is current for the present proficiency cycle, she will participate in all subsequent FDLE Blood Alcohol Proficiency Cycles following her return to work, and she will undergo routine, frequent proficiency testing by the College of American Pathologists throughout the year.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Caitlin Mawn, Assistant General Counsel, Florida Department of Law Enforcement, Office of the General Counsel, P.O. Box 1489, Tallahassee, FL 32302 or by calling (850)410-7676.

**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 May 2, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner’s Name: Highgate Park Homeowners Association

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. 17-4251.

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. R2017024

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

State Boxing Commission

NOTICE IS HEREBY GIVEN that on April 28, 2017, the Florida State Boxing Commission received a petition for variance or waiver filed by Juan Felix Luzbet of Koko Sports Management, LLC. The Petitioner seeks a variance or waiver of Rules 61K1-3.019, 61K1-3.029, 61K1-3.033 and 61K1-3.010, F.A.C. The Petitioner has designated the information

contained with the Petition as “proprietary confidential business information” under Section 548.062, Florida Statutes, and accordingly it is exempt from public disclosure under Section 119, Florida Statutes.

Additional information regarding this Petition for Variance or Waiver may be obtained by contacting: Paul Waters, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone: (850)488-8500.

**DEPARTMENT OF HEALTH**

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on May 4, 2017, the Board of Optometry received a petition for variance or waiver filed by Mia L. McKown, Esq. on behalf of Tammy Johnson, OD, from subsections 64B13-4.001(1) and (2), F.A.C., providing that the Florida licensure examination consists of four (4) parts. Petitioner requests the Board waive provisions of the rule such that Petitioner may be eligible for licensure upon passage of Part IV only. Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, (850)488-0595, email: Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Optometry, at the above address.

**DEPARTMENT OF HEALTH**

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on May 4, 2017, the Board of Optometry received a petition for variance or waiver filed by Mia L. McKown, Esq. on behalf of Nicole Yontz, OD, from subsections 64B13-4.001(1) and (2), F.A.C., providing that the Florida licensure examination consists of four (4) parts. Petitioner requests the Board waive provisions of the rule such that Petitioner may be eligible for licensure upon passage of Part IV only. Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, (850)488-0595, email: Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Optometry, at the above address.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

NOTICE IS HEREBY GIVEN that on March 31, 2017, the Board of Speech Language Pathology and Audiology received a petition for Variance or Waiver filed by Jenna Martin M.S., CCC-SLP, on March 31, 2017. Petitioner seeks a variance or waiver of Rule 64B20-6.002, F.A.C., Standards for Approval of Continuing Education Activities in providers, which in part addresses requesting CEU credits for a course prior to attending the course.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3257, (850)245-4161, Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

NOTICE IS HEREBY GIVEN that on April 5, 2017, the Board of Speech Language Pathology and Audiology received a petition for Variance or Waiver filed by Marjorie Smith. Petitioner seeks a variance or waiver of Rule 64B20-6.002, F.A.C., Standards for Approval of Continuing Education Activities and Providers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256, (850)245-4161, Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

NOTICE IS HEREBY GIVEN that on April 6, 2017, the Board of Speech Language Pathology and Audiology received a Petition for Variance or Waiver filed by Julie Butler. Petitioner seeks a variance or waiver of Rule 64B20-6.002, F.A.C., Standards for Approval of Continuing Education Activities and Providers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech Language Pathology and Audiology, 4052

Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256, (850)245-4161, Kama.Monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2017, 10:30 a.m. – conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250; teleconference: 1(888)670-3525, participant code: 1526050922 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Historical Commission quarterly business meeting.

A copy of the agenda may be obtained by contacting: Sarah Liko, sarah.liko@dos.myflorida.com, (850)245-6332.

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: Sarah Liko, sarah.liko@dos.myflorida.com, (850)245-6332. 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: Sarah Liko, sarah.liko@dos.myflorida.com, (850)245-6332.

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Marker Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2017, 2:00 p.m. to conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Historical Marker Council to discuss and review 10 historical marker applications.

Registration URL:  
<https://attendee.gotowebinar.com/register/5771469956951179266>

Webinar ID: 956-661-435

A copy of the agenda may be obtained by contacting: Michael Hart, Michael.Hart@DOS.MyFlorida.com, (850)245-6371.

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: Michael Hart, Michael.Hart@DOS.MyFlorida.com, (850)245-6371. 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: Michael Hart, Michael.Hart@DOS.MyFlorida.com, (850)245-6371.

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 15, 2017, 2:00 p.m. – 4:00 p.m., ET

PLACE: Conference line: 1(888)670-3525, participant code: 7513637441

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Develop Florida Rehabilitation Council Feedback to Vocational Rehabilitation Regarding Draft Policy Changes.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

**DEPARTMENT OF EDUCATION**

State Board of Education

The Financial Emergency Board for the School District of Jefferson County announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2017, 1:00 p.m.

PLACE: Turlington Building, 325 West Gaines Street, Suite 1706, Tallahassee, Florida, 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Pursuant to Section 218.503, Florida Statutes, the Financial Emergency Board for the School District of Jefferson County will meet on May 12, 2017. The purpose of this meeting is for the Financial Emergency Board to review and discuss information about the finances of the School District of Jefferson County.

A copy of the agenda may be obtained by contacting: Link Jarrett at the Florida Department of Education, 325 West Gaines Street, Suite 1214, Tallahassee, Florida 32399 or (850)245-0406.

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 two days before the workshop/meeting by contacting: Link Jarrett at (850)245-0406. 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 EDUCATION**

Florida School for the Deaf and the Blind

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

6D-7.007 Code of Student Conduct

The Florida School for the Deaf and the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: May 26, 2017, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion regarding Rule 6D-7.007, F.A.C., Code of Student Conduct.

A copy of the agenda may be obtained by contacting: Cindy Day, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2200 or dayc@fsdb.k12.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 3 days before the workshop/meeting by contacting: Cindy Day, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2200 or dayc@fsdb.k12.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: Julie Mintzer, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2315 or mintzerj@fsdb.k12.fl.us.

**DEPARTMENT OF EDUCATION**

Florida's Office of Early Learning

**RULE NOS.:****RULE TITLES:**

6M-8.204 Uniform Attendance Policy for Funding the VPK Program



6M-8.300 Provider and Class Registration Procedures; Application; Eligibility Determination

The Office of Early Learning announces a workshop to which all persons are invited.

DATE AND TIME: May 23, 2017: cancelled

PLACE: via GoToWebinar: cancelled

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The rule development workshop scheduled for May 23, 2017, has been cancelled. The notice of development of rulemaking was published on May 4, 2017 in Vol. 43, No. 87, F.A.R., ID 18925784.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8635 or emailing oel.rules@oel.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8635 or email: oel.rules@oel.myflorida.com.

STATE BOARD OF ADMINISTRATION

The Participant Local Government Advisory Council (PLGAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 5, 2017, 9:00 a.m. until completion of agenda

PLACE: State Board of Administration, 1801 Hermitage Boulevard, Hermitage Room, Tallahassee, FL 32308; check in at the reception desk; on-site parking available

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Surplus Funds Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under S. 218.409 (10)(a) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Amy Walker, State Board of Administration, (850)413-1253, amy.walker@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech

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

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Monday, June 5, 2017, 10:10 a.m. until completion of agenda

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308; attendees should check in at reception desk, on-site parking available

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under S. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting Pam Noda, State Board of Administration, (850)413-1381, pam.noda@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice)

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, May 17, 2017, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

- Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901
- Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972
- Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: [www.sfwmd.gov](http://www.sfwmd.gov).

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link
- Or subscribe to ePermitting/eNoticing at [www.sfwmd.gov/epermitting](http://www.sfwmd.gov/epermitting).

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

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: District Clerk’s Office, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, June 13, 2017, 10:00 a.m.

**PLACE:** Telephone conference number: 1(888)670-3525, participant code: 293 872 3619

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Wednesday, June 14, 2017, 12:00 Noon; Thursday, June 15, 2017, 8:30 a.m.; Friday, June 16, 2017, 8:30 a.m.

**PLACE:** Renaissance St. Augustine Resort, 500 S. Legacy Trail, St. Augustine, FL 32092, (904)940-8000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business, disciplinary and committee meetings of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

The Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday, May 17, 2017, 10:00 a.m.

**PLACE:** Conference call: 1(888)670-3525, participant code: 2295006118

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board Meeting.

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492.

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: 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1492.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

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

DATE AND TIME: May 19, 2017, 9:00 a.m.

PLACE: Embassy Suites, 1100 SE 17th Street, Ft. Lauderdale, Florida 32316, (954)315-1326

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: <http://floridasoptometry.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 7 days before the workshop/meeting by contacting: Anthony.Spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: May 15, 2017, 12:00 Noon

PLACE: Collier County Government Complex, 3301 Tamiami Trail East, Building L, 5th Floor, Naples

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Collier County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones at (239)895-0257. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families C20 announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 15, 2017, 12:00 Noon

PLACE: Collier County Government Complex, 3301 Tamiami Trail East, Building L, 5th Floor, Naples

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Collier County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones at (239)895-0257. 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 FINANCIAL SERVICES**

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-30.001: Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities

The Board of Funeral, Cemetery, and Consumer Services announces a workshop to which all persons are invited.

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

PLACE: Alexander Building, Room 231A, 2020 Capital Circle, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The modification of Rule 69K-30.001, and possible expansion of that rule to include content from Rule 69K-11.001. The Notice of Rule Development was published on April 14, 2017 in Vol. 43, No. 73 of the Florida Administrative Register (FAR).

The Board also hereby gives notice of the CANCELLATION of the workshop on 69K-30.001 previously scheduled for Wednesday, June 14, 2017 at 9:00 a.m. as noticed in the May 4, 2017, issue of the Florida Administrative Register, Vol. 43, No. 87.

A copy of the agenda may be obtained by contacting: Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting The Board's Assistant Director. 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 MILITARY AFFAIRS**

The Department of Military Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: May 19, 2017, 8:00 a.m.

PLACE: Command Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting. The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

A copy of the agenda may be obtained by contacting: Sylvia Sepulveda, (904)823-0201.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sylvia Sepulveda, (904)823-0201. 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: Sylvia Sepulveda, (904)823-0201.

**PASCO-PINELLAS AREA AGENCY ON AGING**

The Area Agency on Aging of Pasco-Pinellas announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 15, 2017, 9:30 a.m.

PLACE: 9549 Koger Blvd., Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black, (727)570-9696, ext. 233.

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: Brenda Black, (727)570-9696, ext. 233. 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: Brenda Black, (727)570-9696, ext. 233.

**LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The Leon County Research and Development Authority announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, June 1, 2017, 11:00 a.m.; Thursday, August 3, 2017, 11:00 a.m.; Thursday, October 5, 2017, 11:00 a.m.; Thursday, December 7, 2017, 11:00 a.m.

PLACE: Knight Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, FL 32310, (850)575-0343

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular business of the Board of Governors. Meeting information and changes to the date or time of the meeting will be posted on the Authority's website at <http://lcrda.org/>.

A copy of the agenda may be obtained by contacting: (850)575-0343 or LCRDA@inn-park.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)575-0343 or LCRDA@inn-park.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: (850)575-0343 or LCRDA@inn-park.com.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

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

DATE AND TIME: May 18, 2017, 11:30 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 General Business Meeting.  
 A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

KITTELSON & ASSOCIATES, INC.  
 The Florida Department of Transportation announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, June 1, 2017, 6:00 p.m. – 8:00 p.m.

PLACE: City of North Miami Public Library, Multipurpose Room, 835 NE 132 Street, North Miami, Florida 33161

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 The Florida Department of Transportation (FDOT) District Six will host a public hearing for one (1) roadway resurfacing project (FM 439346-1-52-01) along State Road (SR) 916 /NW/NE 135 Street from NW 6 Avenue to west of SR 5/Biscayne Boulevard in Miami-Dade County. The proposed work for the resurfacing project includes: repaving and restriping the roadway, replacing substandard curb ramps at intersections, upgrading pedestrian signals, upgrading pavement markings, enhancing landscaping, and installing medians. The hearing will follow an informal format allowing the public to arrive at any time from 6:00 p.m. to 8:00 p.m., with a formal presentation starting at 6:30 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions. Participants also will be able to submit written comments to the project team if they so desire.

Public participation at this hearing is solicited without regard to race, color, national origin, age, gender, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Kenneth Jeffries, Department of Transportation, District Six.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hong Benitez at (305)470-5219; in writing, FDOT, 1000 N.W.111 Avenue, Miami, FL 33172 or by email: Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Project Manager Kenneth Jeffries, Department of Transportation, District Six,

1000 NW 111 Street, Room 6111-A, Miami, Florida 33172, (305)470-5445, Ken.Jeffries@dot.state.fl.us.

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

DEPARTMENT OF REVENUE  
 Property Tax Oversight Program

RULE NO.: RULE TITLE:

12D-9.027 Process of Administrative Review

NOTICE IS HEREBY GIVEN that Department of Revenue (“Department”) has declined to rule on the petition for declaratory statement filed by Robert Leroy Wynn (“Petitioner”) on February 8, 2017. The following is a summary of the agency’s declination of the petition:

The Notice of Receipt of Petition for Declaratory Statement was published on February 13, 2017 in Vol. 43, No. 29 of the Florida Administrative Register. Petitioner sought the agency’s opinion as to the applicability of Florida Administrative Code paragraph 12D-9.027(4)(a) regarding administrative review of the validity of denials of tax exemptions in the Value Adjustment Board process, as it applies to the petitioner. Petitioner sought the Department’s opinion on whether Fla. Admin. Code paragraph 12D-9.027(4)(a), in a value adjustment board proceeding, provides for review of the validity of the exemption denial as the first step in the process, is intended to be fair and consistent with the law, and provides that all legal requirements are met for recommendations and final decisions. The Department’s Final Order, issued May 4, 2017, declines to issue a declaratory statement because the Petition fails to meet the requirement that there be an actual, present and practical need for the declaration and that the requested declaration deals with a present controversy as to a state of facts. A copy of the Petition for Declaratory Statement and Final Order Dismissing Petition for Declaratory Statement may be obtained by contacting: Sarah Wachman Chisenhall, Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6668, Sarah.Wachman.Chisenhall@floridarevenue.com, (850)617-8347. Please refer all comments to: Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6688, Sarah.Wachman.Chisenhall@floridarevenue.com.

**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:

Pelican Bay Foundation, Inc. vs. Florida Fish and Wildlife Conservation Commission; Case No.: 17-2570RP; Rule No.: 68C-22.023

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

NONE

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

NONE

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

NONE

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 BDC63-16/17, Waterfront Park – Park Improvements.  
 NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC63-16/17, Waterfront Park – Park Improvements. More info @ <http://tinyurl.com/BDC63-16-17>

SKANSKA USA BUILDING, INC.  
 Invitation for Bids (Advertisement)

1. Skanska USA Building, Inc. (Skanska) will receive sealed Bids for “Bid Package 02: Design Assist for MEP/FP,

Exterior Glass/Glazing & Metal Panels, and Architectural Precast” for the following Project as delineated in the Contract Documents until 2:00 p.m. (Eastern prevailing time), Thursday May 25, 2017. Bids will be opened privately with a representative of the Owner present.

Owner: University of South Florida (USF)

Project Title: Morsani College of Medicine + Heart Institute

Project No.: 519 and 535

2. Scope of Work: Construction of a new 14 story building at 546 Channelside Drive, Tampa, FL for the University of South Florida to house the Morsani College of Medicine + Heart Institute. The building will contain laboratory space, offices, classrooms, auditorium space, and other building support components. NOTE: This invitation to bid is for “Bid Package 02: Design Assist for MEP/FP, Exterior Glass/Glazing & Metal Panels, and Architectural Precast” ONLY. Reference the Work Categories contained in the Bid Manual for further definition of scope. Future Bid Packages will be released at a later date to be determined for the balance of work on the project. Skanska will not consider bids for Work outside of the Work Categories contained in Bid Package 02.
3. One original copy of the Bid and accompanying documents shall be submitted in a sealed envelope, clearly marked with the above Project Title and Contract Number, and be addressed and delivered to the location below. Also included shall be a USB thumb-drive with an electronic copy of all Bid documents. Bidder will be responsible for the delivery of their Proposal. Skanska nor the Owner will not be responsible for Proposals that are mismarked, delivered to the wrong place, and/or delayed in delivery or in the mail.  

Skanska USA Building Inc.  
 4030 West Boy Scout Blvd., Suite 200  
 Tampa, FL 33607
4. A non-mandatory Pre-Bid Conference will be held May 11, 2017 @ 1:00 p.m. at Skanska’s office (noted above) for this project.
5. Not less than the minimum salaries and wages as set forth in the Contract Documents must paid on this project. The contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, disability, sex, or national origin.
6. Questions regarding the project scope shall be e-mailed to the attention of Nader Sinno at [nader.sinno@skanska.com](mailto:nader.sinno@skanska.com). The last day for receipt of written questions is end of business day of May 19, 2017.
7. Bidders may obtain an electronic copy of the Contract Documents for this project at no cost by submitting a

request via email to Nader Sinno at nader.sinno@skanska.com. No paper copies of the Contract Documents will be provided by Skanska.

8. All proposals must be submitted on the Bid Proposal Form contained in the Bid Manual and must be fully executed as outlined therein. The Bid Manual is part of the Contract Documents and outline the specifics related to the request for Bids (including qualifications, selection criteria, lump sum pricing instructions, Subcontract Agreement forms, and definitions).
9. Bids must be submitted unconditionally. No bidder may withdraw bid within 60 calendar days after the scheduled closing time for receipt of bids. The successful bidder will be required to furnish evidence of insurability and meet the selection criteria.
10. Award of Subcontract, if awarded, will be to the lowest responsible Bidder. Skanska and/or the Owner reserves the right to reject any or all bids or parts thereof or to waive any informality or irregularity as deemed to the best interest of the Owner.

## 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 April 28, 2017 and 3:00 p.m., Thursday May 4, 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
5O-4.001	5/2/2014	5/22/2014
59G-1.100	5/1/2017	5/21/2017
61G4-12.011	5/4/2017	5/24/2017
64B8-9.009	5/2/2014	5/22/2014
64B8-31.003	5/3/2017	5/23/2017
64B8-31.012	5/3/2017	5/23/2017
64B10-12.0001	5/3/2017	5/23/2017
64B13-6.001	5/3/2017	5/23/2017

64B15-7.003	5/3/2017	5/23/2017
64B15-7.012	5/3/2017	5/23/2017
64B15-12.005	5/3/2017	5/23/2017
67-21.001	5/4/2017	5/24/2017
67-21.002	5/4/2017	5/24/2017
67-21.0025	5/4/2017	5/24/2017
67-21.003	5/4/2017	5/24/2017
67-21.004	5/4/2017	5/24/2017
67-21.0045	5/4/2017	5/24/2017
67-21.006	5/4/2017	5/24/2017
67-21.007	5/4/2017	5/24/2017
67-21.008	5/4/2017	5/24/2017
67-21.009	5/4/2017	5/24/2017
67-21.010	5/4/2017	5/24/2017
67-21.013	5/4/2017	5/24/2017
67-21.014	5/4/2017	5/24/2017
67-21.015	5/4/2017	5/24/2017
67-21.017	5/4/2017	5/24/2017
67-21.018	5/4/2017	5/24/2017
67-21.019	5/4/2017	5/24/2017
67-21.025	5/4/2017	5/24/2017
67-21.026	5/4/2017	5/24/2017
67-21.027	5/4/2017	5/24/2017
67-21.028	5/4/2017	5/24/2017
67-21.029	5/4/2017	5/24/2017
67-21.030	5/4/2017	5/24/2017
67-21.031	5/4/2017	5/24/2017
67-48.001	5/4/2017	5/24/2017
67-48.002	5/4/2017	5/24/2017
67-48.004	5/4/2017	5/24/2017
67-48.007	5/4/2017	5/24/2017
67-48.0072	5/4/2017	5/24/2017

67-48.0075	5/4/2017	5/24/2017
67-48.009	5/4/2017	5/24/2017
67-48.0095	5/4/2017	5/24/2017
67-48.010	5/4/2017	5/24/2017
67-48.0105	5/4/2017	5/24/2017
67-48.013	5/4/2017	5/24/2017
67-48.014	5/4/2017	5/24/2017
67-48.015	5/4/2017	5/24/2017
67-48.017	5/4/2017	5/24/2017
67-48.018	5/4/2017	5/24/2017
67-48.019	5/4/2017	5/24/2017
67-48.020	5/4/2017	5/24/2017
67-48.0205	5/4/2017	5/24/2017
67-48.022	5/4/2017	5/24/2017
67-48.023	5/4/2017	5/24/2017
67-48.027	5/4/2017	5/24/2017
67-48.028	5/4/2017	5/24/2017
67-48.029	5/4/2017	5/24/2017
67-48.030	5/4/2017	5/24/2017
67-48.031	5/4/2017	5/24/2017
67-48.040	5/4/2017	5/24/2017
67-48.041	5/4/2017	5/24/2017
69A-37.039	4/28/2017	5/18/2017
69A-37.065	4/28/2017	5/18/2017
69L-30.002	4/28/2017	5/18/2017
69L-30.003	4/28/2017	5/18/2017
69L-30.004	4/28/2017	5/18/2017
69L-30.006	4/28/2017	5/18/2017
69L-30.007	4/28/2017	5/18/2017
69L-30.010	4/28/2017	5/18/2017

**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
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District  
 Notice of Intended Agency Action to Grant Variance  
 Rule No: 62-330.302(1)(c), F.A.C.

The St. Johns River Water Management District (“District”) gives notice of its intent to grant a variance under Section 373.414(17), F.S., from the provisions of paragraph 62-330.302(1)(c), F.A.C., and Sections 10.1.1(d) and 10.2.5(a) of the Environmental Resource Permit Applicant’s Handbook, Volume I, (Oct. 1, 2013), to the United States Air Force (USAF), to allow for the construction of the boat ramp on the east shoreline of the Banana River, within Class III waters, conditionally approved for shellfish harvesting, in Brevard County. This variance is sought in conjunction with the activities necessary to construct the boat ramp as described in Environmental Resource Permit Application ISSL-009-148407-1. The District is granting the variance because petitioner has demonstrated the variance is necessary to relieve or prevent a hardship. The petition for variance (F.O.R. Number 2017-12) is available from the District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529.



A person whose substantial interests are or may be affected by the District's action has the right to petition for an administrative hearing under Sections 120.569 and 120.57, F.S. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by email with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of publication of the notice of intended Agency action. A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. Mediation pursuant to Section 120.573, Florida Statutes, is not available.

A petition is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by email is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. The failure to file a petition within the requisite time frame shall constitute a waiver of the right to an administrative hearing under Sections 120.569 and 120.57, F.S.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., and Chapter 28-106 and Rule 40C-1.1007, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.

**REGIONAL UTILITY AUTHORITIES**

Peace River/Manasota Regional Water Supply Authority

**NOTICE OF FUNCTION**

The Peace River Manasota Regional Water Supply Authority announces the following function to which all interested parties are invited.

DATE AND TIME: Friday, May 19, 2017, 11:30 a.m.

PLACE: Peace River Facility, 8998 SW County Road 769, Arcadia, FL

**PURPOSE:** Friends of Peace Water, Inc. will host a BBQ at the Peace River Facility. Tours will be available. Authority Board members, local government elected officials and members of the Southwest Florida Water Management District's Governing Board may be in attendance. Persons with disabilities who may need assistance may call (941)316-1776 at least two business days in advance to make appropriate arrangements.

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

**GRACE PERIOD LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the May 17, 2017 application filing date for Other Beds and Programs batching cycle:

County: Orange District: 7-SA3

Date Filed: 4/28/2017 LOI #: N1704005

Facility/Project: Nemours Children's Hospital

Applicant: The Nemours Foundation

Project Description: Establish a pediatric liver transplantation program

County: Miami-Dade District: 11

Date Filed: 5/3/2017 LOI #: N1704006

Facility/Project: OpusCare of South Florida

Applicant: Comprehensive Home Health Care, Inc.

Project Description: Establish a new 13-bed freestanding inpatient hospice facility

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after June 28, 2017, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on May 24, 2017.

**DEPARTMENT OF FINANCIAL SERVICES**

FSC - Financial Institution Regulation

Office of Financial Institutions

**NOTICE OF FILINGS**

Financial Services Commission

Office of Financial Regulation

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

By Mail or Facsimile	OR	By Hand Delivery
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Agency Clerk		Agency Clerk
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Office of Financial Regulation		Office of Financial Regulation
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P.O. Box 8050                      The Fletcher Building, Suite 118  
Tallahassee, Florida 32314-8050    101 East Gaines Street  
Phone: (850)410-9800              Tallahassee, Florida 32399-0379  
Fax: (850)410-9548                Phone: (850)410-9643  
The Petition must be received by the Clerk within twenty-one  
(21) days of publication of this notice (by 5:00 p.m., May 25,  
2017):

APPLICATION FOR CONVERSION OF A FEDERAL  
CREDIT UNION TO A STATE CREDIT UNION

Applicant and Location: South Florida Federal Credit  
Union, 1902 NW 14th Avenue, Miami, Florida 33125  
With Title: South Florida Financial Credit Union  
Received: May 1, 2017

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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.

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