

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-44.007 Standards of Practice
PURPOSE AND EFFECT: The Council proposes the rule
development for consideration of clarification of standards of
care.
SUBJECT AREA TO BE ADDRESSED: To clarify standards
of care.
RULEMAKING AUTHORITY: 456.072(1)(t), 468.503(4),
468.507, 468.516(1)(a), (2)(a) FS.
LAW IMPLEMENTED: 456.072(1)(t), 468.503(4), 468.516,
468.517, 468.518 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: Allen
Hall, Executive Director, Board of Medicine, Dietetics and
Nutrition Practice Council, 4052 Bald Cypress Way, Bin
#C05, Tallahassee, Florida 32399-3255.
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-45.002 Continuing Education Approval
PURPOSE AND EFFECT: The Council proposes the rule
development for consideration of clarification of continuing
education providers and credit.
SUBJECT AREA TO BE ADDRESSED: To clarify
continuing education providers and credit.
RULEMAKING AUTHORITY: 456.013(7), (8), (9), 468.507
FS.
LAW IMPLEMENTED: 456.013, 468.514, 468.515 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: Allen
Hall, Executive Director, Board of Medicine, Dietetics and
Nutrition Practice Council, 4052 Bald Cypress Way, Bin
#C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-11.0035 Licensure by Examination: Proof
Satisfactory to the Board for the Purpose of
Determining Eligibility for Examination
PURPOSE AND EFFECT: The Board proposes the rule
development for consideration of submission of educational
documents by third parties.
SUBJECT AREA TO BE ADDRESSED: Submission of
educational documents by third parties.
RULEMAKING AUTHORITY: 490.004(4), 490.005(1)(b)
FS.
LAW IMPLEMENTED: 490.003(3), 490.005(1)(b) 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: Allen
Hall, Executive Director, Board of Psychology, 4052 Bald
Cypress Way, Bin # C05, Tallahassee, Florida 32399-3055.
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-13.003 Continuing Psychological Education Credit
PURPOSE AND EFFECT: The Board proposes the rule
development for consideration of pro-bono credit towards
continuing education.
SUBJECT AREA TO BE ADDRESSED: To consider pro-
bono credit towards continuing education.
RULEMAKING AUTHORITY: 456.013(7), (9), 490.004(4),
490.0085(4) FS.
LAW IMPLEMENTED: 456.013(7), 490.007(2),
490.0085(1), (3) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3055. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## Section II Proposed Rules

### DEPARTMENT OF CORRECTIONS

RULE NO.:       RULE TITLE:  
33-602.101      Care of Inmates

PURPOSE AND EFFECT: The purpose and effect is to amend Rule 33-602.101 to add language requiring the wearing of the Class A uniform by inmates during dormitory inspections by the warden or duty warden and during official visits and/or tours.

SUMMARY: The proposed rule adds language requiring the wearing of the Class A uniform by inmates during dormitory inspections by the warden or duty warden and during official visits and/or tours. Currently, although these situations appear to be covered under sub-subparagraph 33-602.101(2)(b)1.i, F.A.C., they are not specifically referenced which has left the application of the rule in these circumstances at the discretion of the institutions. The rulemaking regarding Rule 33-602.101, F.A.C. will clarify the rule and will allow for conformity in its application rather than institutional discretion.

#### 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: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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 FS, 945.215 FS.

LAW IMPLEMENTED: 944.09 FS, 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:

33-602.101 Care of Inmates.

(1) No change..

(2) Inmates shall at all times wear the regulation clothing and identification card in accordance with Department rules, procedures, and institution policy.

(a) No change.

(b) General Clothing Regulations: The following general clothing regulations will not supersede the clothing or uniform requirements or allowances for inmates in Maximum Management, Close Management, Disciplinary Confinement, Administrative Confinement, Work Release or Community Release inmates contained in other rules. Work release inmates shall wear civilian clothing as required by Rule 33-601.602, F.A.C.

1. The Class A uniform for males and females shall be worn as follows:

a. through g. No change.

h. For visitation, and

i. During dormitory inspections by the warden or duty warden.

j. During official visits and/or tours, and

k. At any other time when a class B or C uniform or other clothing is not specifically allowed by this or other rule.

2. through 10. No change.

(c) through (k) No change.

(3) through (13) No change.

Rulemaking Authority 944.09, 945.215 FS. Law Implemented 944.09, 945.215 FS. History—New 10-8-76, Amended 4-19-79, 4-24-80, 10-14-84, 1-9-85, Formerly 33-3.02, Amended 11-3-87, 10-6-88, 7-23-89, 8-27-91, 3-30-94, 11-13-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, 10-23-06, 1-18-07, 5-13-08, 6-22-10, 5-24-11, 2-6-12, 5-27-12, 3-3-13, 10-14-13, 12-12-13, 10-28-14, 8-17-16, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard D. Comerford, Director of Institutional Operations

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Julie L. Jones, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 04/12/2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 03/03/2017

**Section III**  
**Notice of Changes, Corrections and Withdrawals**

NONE

**Section IV**  
**Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 15, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-4.010(7), Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code, from NQC Miami LLC located in Miami Lakes. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers only.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

NOTICE IS HEREBY GIVEN that on May 5, 2017, the Board of Accountancy, received a petition for variance or waiver filed by Cristina M. Martell, seeking a variance or waiver of Rule 61H1-33.006(2)(c), Florida Administrative Code, that requires for each Florida certified public accountant, who became delinquent and desires to return his/her license to active status shall satisfy the requirements of his/her most recent biennium plus 200 additional CPE hours in the following manner: at least 40 hours of Accounting/Auditing, at least 4 hours in Ethics, no more than 20 hours in behavioral, for a total of 280 hours.

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

DEPARTMENT OF HEALTH

Board of Acupuncture

NOTICE IS HEREBY GIVEN that on May 5, 2017, the Board of Acupuncture, received a petition for variance and waiver from Rule 64B1-3.010, F.A.C., filed by Salvatore Gorla. Petitioner request a waiver from the rule that requires NCCAOM Bio-Med examination, and that NCCAOM be current. Comments on this petition should be filed with the Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Acupuncture, at the above address or telephone: (850)488-0595.

**Section VI**  
**Notice of Meetings, Workshops and Public Hearings**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 14, 2017, 5:00 p.m.

PLACE: Florida Horse Park; 11008 S Highway 475, Ocala, FL 34480

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This is a meeting of the Board of Directors to discuss general business.

A copy of the agenda may be obtained by contacting: Emily Holmes. (352)307-6699, ext. 4 or events@flhorsepark.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 2 days before the workshop/meeting by contacting: Emily Holmes at (352)307-6699, ext. 4 or email at events@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following workshops for Tuesday, May 23, 2017, which are open to the public. The workshops will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.

**DATE AND TIME:** May 23, 2017, 12:00 Noon – 1:00 p.m.

**PLACE:** 501 West State Street, Room 403A, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Board Workshop: Discussion of Board Self-Assessment / College President Performance Discussion. The Board may act on matters involving personnel appointments, finance, facilities, and finalizing the College President's performance evaluation and contract.

**DATE AND TIME:** May 23, 2017, 1:00 p.m. – 3:00 p.m.

**PLACE:** 501 West State Street, Board Room 405, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:**  
Board Budget Workshop: 2017/18 Budget Overview.

Copies of the agenda for the workshops will be available for inspection beginning Tuesday, May 16, 2017, and copies will be provided upon written request and the payment of approved duplicating charges.

If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the workshops by contacting: District Board of Trustees Project Coordinator Kimberli Sodek, (904)632-3205, Kim.Sodek@fscj.edu.

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment,

delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President.

**STATE BOARD OF ADMINISTRATION**

The Florida Hurricane Catastrophe Fund announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 23, 2017, 9:00 a.m. (ET) to conclusion of the meeting

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
This is a meeting of the Trustees of the State Board of Administration to receive a status update relating to the Florida Hurricane Catastrophe Fund.

A copy of the agenda may be obtained by contacting: Not available.

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: Leonard Schulte, Florida Hurricane Catastrophe Fund, (850)413-1335, leonard.schulte@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).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Cosmetology

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

**DATE AND TIME:** June 23, 2017, 10:00 a.m.

**PLACE:** Conference Number: 1(888)670-3525. Participant Code: 7335214083#.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

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: Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395. 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 Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

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**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 24, 2017, 9:30 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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**MOFFITT CANCER CENTER & RESEARCH INSTITUTE**

The H. Lee Moffitt Cancer Center & Research Institute announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 23, 2017, 1:00 p.m.

**PLACE:** Moffitt Cancer Center, Stabile Research Building, Trustees Board Room

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Kathy McKinley, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB - ADM, Tampa, FL 33612.

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 24 hours before the workshop/meeting by contacting: Kathy McKinley. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**FLORIDA LEAGUE OF CITIES**

The Florida Municipal Insurance Trust (FMIT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, June 2, 2017, 9:00 a.m.

**PLACE:** The Shores, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Municipal Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending in person may do so at The Shores, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)222-9684.

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 14 days before the workshop/meeting by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)222-9684. 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: Penny Mitchell, pmitchell@flcities.com or calling (850)222-9684.

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**QCAUSA**

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

**DATE AND TIME:** May 24, 2017, 5:30 p.m.

**PLACE:** Bryan Glazer Jewish Community Center (JCC), 522 N. Howard Avenue, Tampa, Florida 33606

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) is holding a Community Working Groups meeting on Wednesday, May 24 at 5:30 p.m. at the Bryan Glazer Family Jewish Community Center (JCC) at 522 N. Howard Ave., Tampa, FL 33606.

The group discussions include topics such as multi-modal transportation and evaluating infrastructure improvements in the context of a comprehensive regional transportation system. To ensure a cross section of the community is represented, Community Working Group members were selected from within the community including individual citizens, neighborhood/HOA association representatives, civic and faith-based leaders, small business owners and business leaders, among others. The Community Working Group Regional Kickoff meeting is open to the public to view the process and hear about the community's transportation needs and core values. At the end of the workshop, time will be allotted for public comment. Comments may also be received through a written format to [Madeline.Pfingsten@dot.state.fl.us](mailto:Madeline.Pfingsten@dot.state.fl.us).

A copy of the agenda may be obtained by contacting: Madeline Pfingsten, Madeline Pfingsten by phone at (813)532-5148 or by email at [Madeline.Pfingsten@dot.state.fl.us](mailto:Madeline.Pfingsten@dot.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Seven (7) days before the workshop/meeting by contacting: Christopher Speese, by phone at (813)975-6247 or by email at [Christopher.Speese@dot.state.fl.us](mailto:Christopher.Speese@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: For more information, you may contact: Madeline Pfingsten, Madeline Pfingsten by phone at (813)532-5148 or by email at [Madeline.Pfingsten@dot.state.fl.us](mailto:Madeline.Pfingsten@dot.state.fl.us).

Comuniquese Con Nosotros

Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuniquese con nuestra representante, Lilliam Escalera, 813-975-6403, Departamento de Transportación de Florida, 11201 N. McKinley Dr., Tampa, FL 33612, [lilliam.escalera@dot.state.fl.us](mailto:lilliam.escalera@dot.state.fl.us).

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.105 Restoration of Forfeited Gain Time

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from inmate Dathan Gray, DC# 137495. The petition seeks the agency's opinion as to the applicability of Rule 33-601.105, Florida Administrative Code, as it applies to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of Rule 33-601.105, Florida Administrative Code. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-501.401 Admissible Reading Material

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from inmate Rexford Tweed, DC# 116365. The petition seeks the agency's opinion as to the applicability of Rule 33-501.401, Florida Administrative Code, as it applies to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of Rule 33-501.401, Florida Administrative Code. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.101 Care of Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Rexford Tweed, DC# 116365. The petition seeks the agency’s opinion as to the applicability of 33-602.101 as it applies to the petitioner.

The petition alleges that it seeks a Declaratory Statement as to the statutory authority for the Department to establish, implement and administer a policy change regarding the design and manufacture of prison clothes. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Betty Money, 501 South Calhoun Street, Tallahassee, Florida 32399, betty.money@fdc.myflorida.com, (850)717-3605.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Homecare Registry Solutions on April 26, 2017. The following is a summary of the agency’s disposition of the petition:

The petition was denied. A copy of the petition and Final Order may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, via e-mail at Richard.Shoop@ahca.myflorida.com, or via telephone at (850)412-3671.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine has received the petition for declaratory statement from Louis M. Newman, DPM, filed on May 11, 2017. The petition seeks the agency’s opinion as to the applicability of Section 461.003(5), F.S., as it applies to the petitioner.

Petitioner seeks to know whether the performance of physical examinations in accordance with 49 CFR 390.105(a)(1), as a certified examiner for the Federal Motor Carrier Safety of the Department of Transportation is within the scope of practice of a podiatric physician licensed, certified, or registered in accordance with Chapter 461, Florida Statutes. Except for good cause shown, motions to leave to intervene must be filed within 21 days after the publication of this notice.

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

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

NONE

Section XII

Miscellaneous

DEPARTMENT OF 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., Tuesday May 9, 2017 and 3:00 p.m., Monday May

15, 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
1A-39.001	5/12/2017	6/1/2017
6A-6.0902	5/10/2017	5/30/2017
6A-6.09021	5/10/2017	5/30/2017
6A-6.0905	5/10/2017	5/30/2017
6A-6.09091	5/10/2017	5/30/2017
14-118.002	5/15/2017	6/4/2017
19-8.028	5/10/2017	5/30/2017
25-30.445	5/10/2017	5/30/2017
33-602.800	5/10/2017	5/30/2017
33-602.801	5/10/2017	5/30/2017
33-602.802	5/10/2017	5/30/2017
33-602.803	5/10/2017	5/30/2017
33-602.804	5/10/2017	5/30/2017
33-602.805	5/10/2017	5/30/2017
33-602.806	5/10/2017	5/30/2017
33-602.807	5/10/2017	5/30/2017
33-602.808	5/10/2017	5/30/2017
33-602.809	5/10/2017	5/30/2017
61D-14.001	5/10/2017	5/30/2017
61D-14.002	5/10/2017	5/30/2017
61D-14.005	5/10/2017	5/30/2017
61D-14.0055	5/10/2017	5/30/2017
61D-14.006	5/10/2017	5/30/2017
61D-14.008	5/10/2017	5/30/2017
61D-14.012	5/10/2017	5/30/2017
61D-14.015	5/10/2017	5/30/2017
61D-14.016	5/10/2017	5/30/2017

61D-14.018	5/10/2017	5/30/2017
61D-14.020	5/10/2017	5/30/2017
61D-14.0211	5/10/2017	5/30/2017
61D-14.022	5/10/2017	5/30/2017
61D-14.024	5/10/2017	5/30/2017
61D-14.028	5/10/2017	5/30/2017
61D-14.032	5/10/2017	5/30/2017
61D-14.037	5/10/2017	5/30/2017
61D-14.040	5/10/2017	5/30/2017
61D-14.041	5/10/2017	5/30/2017
61D-14.046	5/10/2017	5/30/2017
61D-14.047	5/10/2017	5/30/2017
61D-14.050	5/10/2017	5/30/2017
61D-14.051	5/10/2017	5/30/2017
61D-14.052	5/10/2017	5/30/2017
61D-14.054	5/10/2017	5/30/2017
61D-14.059	5/10/2017	5/30/2017
61D-14.060	5/10/2017	5/30/2017
61D-14.063	5/10/2017	5/30/2017
61D-14.065	5/10/2017	5/30/2017
61D-14.067	5/10/2017	5/30/2017
61D-14.072	5/10/2017	5/30/2017
61D-14.074	5/10/2017	5/30/2017
61D-14.075	5/10/2017	5/30/2017
61D-14.076	5/10/2017	5/30/2017
61D-14.082	5/10/2017	5/30/2017
61D-14.0861	5/10/2017	5/30/2017
61D-14.096	5/10/2017	5/30/2017
61D-14.097	5/10/2017	5/30/2017
61D-14.098	5/10/2017	5/30/2017
61G7-10.0015	5/9/2017	5/29/2017
62-304.406	5/10/2017	5/30/2017



62-304.415	5/10/2017	5/30/2017
62-304.500	5/10/2017	5/30/2017
64B2-13.004	5/10/2017	5/30/2017
64B4-4.016	5/9/2017	5/29/2017
64B4-4.018	5/9/2017	5/29/2017
64B16-28.100	5/11/2017	5/31/2017
68B-12.002	5/11/2017	5/11/2017
68B-12.004	5/11/2017	5/11/2017
68B-12.0046	5/11/2017	5/11/2017
68B-30.002	5/11/2017	5/11/2017
68B-30.003	5/11/2017	5/11/2017
68B-30.006	5/11/2017	5/11/2017
73C-25.001	5/9/2017	5/29/2017
73C-25.004	5/9/2017	5/29/2017
73C-25.005	5/9/2017	5/29/2017
73C-25.006	5/9/2017	5/29/2017
73C-25.007	5/9/2017	5/29/2017
73C-25.008	5/9/2017	5/29/2017
73C-25.009	5/9/2017	5/29/2017
73C-25.010	5/9/2017	5/29/2017
73C-25.011	5/9/2017	5/29/2017
73C-25.012	5/9/2017	5/29/2017
73C-25.013	5/9/2017	5/29/2017
73C-25.014	5/9/2017	5/29/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
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	**/**/*****

**Section XIII  
Index to Rules Filed During Preceding  
Week**

INDEX TO RULES FILED BETWEEN  
May 8, 2017 AND May 12, 2017

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>DEPARTMENT OF STATE</b>				
Division of Historical Resources				
1A-39.001	5/12/2017	6/1/2017	43/54	
<b>DEPARTMENT OF EDUCATION</b>				
State Board of Education				
6A-6.0902	5/10/2017	5/30/2017	43/62	
6A-6.09021	5/10/2017	5/30/2017	43/62	
6A-6.0905	5/10/2017	5/30/2017	43/62	
6A-6.09091	5/10/2017	5/30/2017	43/62	
Florida's Office of Early Learning				
6M-4.500	5/8/2017	5/28/2017	43/42	43/65
6M-9.115	5/8/2017	5/28/2017	43/42	43/66
<b>STATE BOARD OF ADMINISTRATION</b>				
19-8.028	5/10/2017	5/30/2017	43/71	
<b>PUBLIC SERVICE COMMISSION</b>				
25-30.445	5/10/2017	5/30/2017	43/67	

DEPARTMENT OF CORRECTIONS

33-602.800	5/10/2017	7/1/2017	43/30
33-602.801	5/10/2017	7/1/2017	43/30
33-602.802	5/10/2017	7/1/2017	43/30
33-602.803	5/10/2017	7/1/2017	43/30
33-602.804	5/10/2017	7/1/2017	43/30
33-602.805	5/10/2017	7/1/2017	43/30
33-602.806	5/10/2017	7/1/2017	43/30
33-602.807	5/10/2017	7/1/2017	43/30
33-602.808	5/10/2017	7/1/2017	43/30
33-602.809	5/10/2017	7/1/2017	43/30

61D-14.074	5/10/2017	5/30/2017	42/224
61D-14.075	5/10/2017	5/30/2017	42/224
61D-14.076	5/10/2017	5/30/2017	42/224
61D-14.082	5/10/2017	5/30/2017	42/224
			43/30
			43/61
61D-14.0861	5/10/2017	5/30/2017	42/224
61D-14.096	5/10/2017	5/30/2017	42/224
61D-14.097	5/10/2017	5/30/2017	42/224
61D-14.098	5/10/2017	5/30/2017	42/224

Board of Employee Leasing Companies

61G7-10.0015	5/9/2017	5/29/2017	43/70
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

60S-4.020	5/9/2017	5/29/2017	43/69
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.406	5/10/2017	5/30/2017	43/41
62-304.415	5/10/2017	5/30/2017	43/41
62-304.500	5/10/2017	5/30/2017	43/41

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

61D-14.001	5/10/2017	5/30/2017	42/224	43/30
61D-14.002	5/10/2017	5/30/2017	42/224	43/30
61D-14.005	5/10/2017	5/30/2017	42/224	43/30
61D-14.0055	5/10/2017	5/30/2017	42/224	
61D-14.006	5/10/2017	5/30/2017	42/224	43/30
61D-14.008	5/10/2017	5/30/2017	42/224	
61D-14.012	5/10/2017	5/30/2017	42/224	43/30
				43/61
61D-14.015	5/10/2017	5/30/2017	42/224	
61D-14.016	5/10/2017	5/30/2017	42/224	
61D-14.018	5/10/2017	5/30/2017	42/224	43/30
61D-14.020	5/10/2017	5/30/2017	42/224	
61D-14.0211	5/10/2017	5/30/2017	42/224	43/30
61D-14.022	5/10/2017	5/30/2017	42/224	43/30
61D-14.024	5/10/2017	5/30/2017	42/224	
61D-14.028	5/10/2017	5/30/2017	42/224	
61D-14.032	5/10/2017	5/30/2017	42/224	
61D-14.037	5/10/2017	5/30/2017	42/224	
61D-14.040	5/10/2017	5/30/2017	42/224	
61D-14.041	5/10/2017	5/30/2017	42/224	
61D-14.046	5/10/2017	5/30/2017	42/224	
61D-14.047	5/10/2017	5/30/2017	42/224	
61D-14.050	5/10/2017	5/30/2017	42/224	
61D-14.051	5/10/2017	5/30/2017	42/224	
61D-14.052	5/10/2017	5/30/2017	42/224	
61D-14.054	5/10/2017	5/30/2017	42/224	
61D-14.059	5/10/2017	5/30/2017	42/224	
61D-14.060	5/10/2017	5/30/2017	42/224	
61D-14.063	5/10/2017	5/30/2017	42/224	
61D-14.065	5/10/2017	5/30/2017	42/224	
61D-14.067	5/10/2017	5/30/2017	42/224	
61D-14.072	5/10/2017	5/30/2017	42/224	

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-13.004	5/10/2017	5/30/2017	43/57
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Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

64B4-4.016	5/9/2017	5/29/2017	43/66
64B4-4.018	5/9/2017	5/29/2017	43/66

Board of Pharmacy

64B16-28.100	5/11/2017	5/31/2017	43/71
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-12.002	5/11/2017	5/11/2017	43/77
68B-12.004	5/11/2017	5/11/2017	43/77
68B-12.0046	5/11/2017	5/11/2017	43/77
68B-30.002	5/11/2017	5/11/2017	43/77
68B-30.003	5/11/2017	5/11/2017	43/77
68B-30.006	5/11/2017	5/11/2017	43/77

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

73C-25.001	5/9/2017	5/29/2017	43/57
73C-25.004	5/9/2017	5/29/2017	43/57
73C-25.005	5/9/2017	5/29/2017	43/57
73C-25.006	5/9/2017	5/29/2017	43/57
73C-25.007	5/9/2017	5/29/2017	43/57
73C-25.008	5/9/2017	5/29/2017	43/57
73C-25.009	5/9/2017	5/29/2017	43/57
73C-25.010	5/9/2017	5/29/2017	43/57
73C-25.011	5/9/2017	5/29/2017	43/57
73C-25.012	5/9/2017	5/29/2017	43/57

73C-25.013 5/9/2017 5/29/2017 43/57  
 73C-25.014 5/9/2017 5/29/2017 43/57

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.

LIST OF RULES AWAITING LEGISLATIVE REVIEW/  
 APPROVAL PURSUANT TO SECTIONS 120.541(3),  
 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-9.021 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.041 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.123 12/9/2016 \*\*/\*\*/\*\*\*\* 42/221  
 40B-9.126 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.131 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.1381 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.1411 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.142 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.145 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227

DEPARTMENT OF ELDER AFFAIRS

Guardianship

58M-2.009 2/9/2017 \*\*/\*\*/\*\*\*\* 42/203 43/11

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-9.021 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.041 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.123 12/9/2016 \*\*/\*\*/\*\*\*\* 42/221  
 40B-9.126 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.131 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.1381 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.1411 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.142 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227  
 40B-9.145 12/21/2016 \*\*/\*\*/\*\*\*\* 42/221 42/227

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 \*\*/\*\*/\*\*\*\* 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.009 6/15/2016 \*\*/\*\*/\*\*\*\* 42/89  
 64B8-10.003 12/9/2015 \*\*/\*\*/\*\*\*\* 39/95 41/49

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.100 12/19/2016 \*\*/\*\*/\*\*\*\* 42/191 42/218  
 69L-7.501 12/19/2016 \*\*/\*\*/\*\*\*\* 42/191 42/218