

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** 64B8-52.003  
**RULE TITLE:** Procedure for Approval of Attendance at Continuing Education Courses

**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to address procedure for approval of attendance at continuing education courses.

**SUBJECT AREA TO BE ADDRESSED:** Update rule language regarding procedure for approval of attendance at continuing education courses.

**RULEMAKING AUTHORITY:** 478.43(1), (4), 478.50(2), (4)(a), (b) FS.

**LAW IMPLEMENTED:** 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (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, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

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

## Section II

### Proposed Rules

**DEPARTMENT OF HEALTH**

**Board of Nursing**

**RULE NO.:** 64B9-4.011  
**RULE TITLE:** Dispensing Practitioners

**PURPOSE AND EFFECT:** The purpose of the rule amendment is to update the application.

**SUMMARY:** Update application.

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

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule amendment at its Board meeting, the Board, based upon the expertise and experience of its members and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule does not impose additional rights, obligations, or duties on any persons or businesses, and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

**RULEMAKING AUTHORITY:** 464.006 FS

**LAW IMPLEMENTED:** 465.0276, 464.012(3), (4) 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:** Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

64B9-4.011 Dispensing Practitioners.

(1) Those ~~APRNs~~~~ARNPs~~ whose protocols permit them to dispense medications for a fee as contemplated by Section 465.0276, F.S., must register with the Board of Nursing by submitting a completed Dispensing Application for Advanced Practice Registered Nurse Practitioners (APRN)(~~ARNP~~), form number DH-MQA 1185, ~~10/18/10/13~~, and hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07909>, or from the Board office or the Board's website: <http://www.FloridasNursing.gov>.

(2) The ~~APRN~~~~ARNP~~ dispensing practitioner must comply with all state and federal laws and regulations applicable to all dispensing practitioners under Section 465.0276, F.S.

**PROPOSED EFFECTIVE DATE: OCTOBER 1, 2018**

Rulemaking Authority 464.006 FS. Law Implemented 465.0276, 464.012(3), (4) FS. History—New 9-16-91, Formerly 21O-16.003, 61F7-4.011, 59S-4.011, Amended 5-14-07, 9-1-10, 2-27-17,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2018

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: RULE TITLE:  
64B9-7.001 Fees

PURPOSE AND EFFECT: The purpose of the amendment is to bring the rule into compliance with HB 1337.

SUMMARY: Bring rule into compliance.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule has no impact on any persons or businesses; and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.0115, 464.012, 464.013, 464.014, 465.0276, 1009.66 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: Joe R. Baker, Jr., Executive Director,

Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

64B9-7.001 Fees.

The following fees are prescribed by the Board.

- (1) through (3) No change.
- (4) For application for APRN ~~ARNP~~ certification as provided in Section 464.012, F.S., one hundred dollars (\$100.00).
- (5) No change.
- (6) For APRN ~~ARNP~~ registration as a dispensing practitioner pursuant to Section 465.0276, F.S., one hundred dollars (\$100.00).
- (7) No change
- (8) For renewal of an APRN ~~a dual RN/ARNP license certificate, fifty one hundred fifteen dollars (\$50.00)(\$115.00).~~
- ~~(9) For renewal of a dual RN/CNS license certificate, one hundred forty dollars (\$140.00).~~
- ~~(10) For renewal of an RN/CNS/ARNP license certificate, one hundred ninety dollars (\$190.00).~~
- ~~(9)(11)~~ Pursuant to Section 1009.66(6), F.S., the Department shall collect a five dollar (\$5.00) fee upon initial licensure or renewal of all LPNs, RNs, and APRN ~~dual RN/ARNP~~ licenses for the Student Loan Trust Fund.
- ~~(10)(12)~~ For application to change from active to inactive status as provided in Section 464.014, F.S.:
  - (a) through (b) No change.
  - (c) For APRN ~~dual RN/ARNP or RN/CNS~~ license ~~certificate~~ ~~fifty seventy five dollars (\$50.00) (\$75.00).~~
  - ~~(11)(13)~~ For renewal of an inactive license as provided in Section 464.014, F.S.:
    - (a) through (b) No change.
    - (c) For APRN ~~dual RN/ARNP or RN/CNS~~ license ~~certificate~~ ~~fifty seventy five dollars (\$50.00) (\$75.00).~~
    - ~~(d) For renewal of an RN/CNS/ARNP license certificate, one hundred thirty dollars (\$130.00).~~
  - ~~(12)(14)~~ For reactivation or change of status of an inactive or delinquent license, as provided in Sections 456.036(8) and 464.014, F.S.:
    - (a) through (b) No change.
    - (c) For APRN ~~dual RN/ARNP or RN/CNS~~ license ~~certificate~~ ~~fifty seventy five dollars (\$50.00) (\$75.00).~~
    - ~~(d) For an RN/CNS/ARNP license certificate, ninety five dollars (\$95.00).~~
  - ~~(13)(15)~~ through ~~(18)(20)~~ No change.

**PROPOSED EFFECTIVE DATE: OCTOBER 1, 2018**

Rulemaking Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.0115, 464.012, 464.013, 464.014, 465.0276, 1009.66 FS. History—New 9-12-79, Amended 3-5-

81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, 5-20-07, 12-21-08, 1-3-12, 9-18-12, 7-13-14, 7-14-16, 9-14-17,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2018

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-8.001  
RULE TITLE: The Probable Cause Panel  
PURPOSE AND EFFECT: The purpose of the rule amendment is to delete unnecessary language.  
SUMMARY: Delete 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule has no impact on any persons or businesses; and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.073(2), (4), 464.006 FS  
LAW IMPLEMENTED: 456.073(4), (6) 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.001 The Probable Cause Panel.

(1) No change.

(2) The Board establishes two probable cause panels of ~~three persons~~ each to be appointed by the Chair of the Board. The Chair may appoint an additional probable cause panel if necessary based on the volume of cases represented to the panels.

(3) No change.

(4) The panel shall recommend penalties ~~for inclusion in any settlement agreements between the Department and the licensee,~~ based on the material submitted by the Department, the Board’s past treatment of similar cases, and the Board’s disciplinary guidelines. Terms shall be subject to approval or rejection by the full Board.

Rulemaking Authority 456.073(2), (4), 464.006 FS. Law Implemented 456.073(4), (6) FS. History–New 11-28-79, Amended 11-22-84, Formerly 21O-10.04, Amended 4-8-92, 9-22-92, Formerly 21O-10.004, 61F7-8.001, Amended 5-1-95, Formerly 59S-8.001, Amended 8-18-98, 4-28-99, 12-13-11, 5-15-14, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: 68B-31.009  
RULE TITLE: Statewide Food Shrimp Production Restrictions

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify regulations related to the commercial food shrimp fishery that maintains shrimp alive prior to sale by modifying the regulations found in 68B-31, Florida Administrative Code (F.A.C.).

The effect of this rule will be to establish regulations specific to the live food shrimp fishery and provide for the transit of live food shrimp statewide.

SUMMARY: This rule will establish regulations specific to the live food shrimp fishery and provide for transport and sale of live food shrimp, including establishing live well requirements for vessels and vehicles. This rule would also clarify that live food shrimp do not have to be iced during transport.

**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

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

DATE AND TIME: During the Commission's regular meeting September 26-27, 2018, 8:30 a.m. – 5:00 p.m. each day

PLACE: Florida Public Safety Institute Conference Center, 85 Academy Drive, Havana, Florida 32333

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

**68B-31.009 Statewide Food Shrimp Production Restrictions.**

The following requirements shall apply to each person harvesting shrimp in or on the waters of the state as a food shrimp producer. Each such person shall also comply with the regional food shrimp production requirements of Rules 68B-31.010 through 68B-31.015, F.A.C., and the area or seasonal closures in the remainder of the chapter.

(1) through (2) No change.

(3) Transport of live food shrimp –

(a) Live shrimp harvested for the purpose of being delivered and sold alive as food for human consumption are not subject to the icing or refrigeration requirements in 68E-27.022(5), F.A.C. This provision shall not be construed to exempt dead shrimp from the requirements in 68E-27.022(5), F.A.C.

(b) Shrimp harvested for sale alive as food pursuant to this rule shall be constantly maintained in wet live storage condition to minimize mortality. All such shrimp harvested by a food shrimp producer shall be expeditiously transported from the harvesting vessel to onshore facilities on the premises of a licensed wholesale or retail saltwater products dealer with equipment functioning to maintain the quality of shrimp delivered in a live, healthy condition. Shrimp so delivered shall be placed in a tank of clean, continuously aerated saline water at that facility and shall be maintained alive throughout all handling and storage processes. Equipment to maintain live food shrimp during harvest pursuant to this rule and during subsequent transport and storage shall, at a minimum, meet the following requirements:

1. Vessel live well requirements – Each vessel engaged in the harvest of shrimp for sale alive as food pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 16 cubic feet of continuously aerated saline water during such harvest and during transport of any live food shrimp.

2. Vehicle live well requirements – Each vehicle used to transport shrimp from the harvesting vessel to a facility operated by a wholesale or retail saltwater products dealer for sale alive as food harvested pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during transport and holding in the vehicle.

3. Storage requirements –

a. Each facility on the premises of a licensed wholesale or retail saltwater products dealer used to store shrimp for sale alive as food harvested pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during storage.

b. Once received at the facility of a properly licensed wholesale or retail saltwater products dealer, shrimp harvested

for sale alive as food pursuant to this rule may be packaged for transport, distribution, and sale. Any live food shrimp packaged pursuant to this provision that is not maintained in a live well must be kept in conditions sufficient to maintain the product alive while in storage and transport.

(3) through (5) renumbered as (4) through (6)  
 Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 11-29-93, 1-1-96, 7-16-96, Formerly 46-31.009, Amended 12-2-99, 3-1-05,\_\_\_\_\_.

**PROPOSED EFFECTIVE DATE:** November 1, 2018  
**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

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

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 20, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** February 16, 2018

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69L-31.002	Definitions
69L-31.003	Petition Form
69L-31.004	Carrier Response Form
69L-31.005	Petition Requirements
69L-31.006	Consolidation of Petitions
69L-31.007	Service of Petition on Carrier and Affected Parties
69L-31.008	Computation of Time
69L-31.009	Carrier Response Requirements
69L-31.010	Effect of Non-Response by Carrier
69L-31.011	Complete Record
69L-31.012	Joint Stipulation of the Parties
69L-31.013	Petition Withdrawal
69L-31.014	Overutilization Issues Raised in Reimbursement Dispute Resolution

**PURPOSE AND EFFECT:** The proposed rulemaking amends rules governing the process for the resolution of reimbursement disputes between workers' compensation carriers and health

care providers, creates a rule, and repeals four rules. The major changes proposed include: adding a rule for defined terms; simplifying requirements for submission of reimbursement disputes; repealing rules related to joint stipulations and non-response by a carrier; and adopting revised forms.

**SUMMARY:** The proposed rulemaking adds definitions, simplifies requirements for submission of reimbursement disputes, repeals rules related to joint stipulations and non-response by a carrier, and adopts revised forms.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis conducted by the Department indicated that the proposed rules will not have an adverse impact or result in regulatory costs in excess of \$1 million within five years, as established in section 120.541(2)(a), F.S.

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:** 440.13(7)(e), 440.591 FS.

**LAW IMPLEMENTED:** 440.13(7), 440.13(11)(a) and (c), 440.13(14), 440.13(15) FS.

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

**DATE AND TIME:** Wednesday, August 15, 2018, 9:30 a.m. – 12:00 p.m.

**PLACE:** Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL 32301.

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: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@myfloridacfo.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 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: Theresa Pugh, Program Administrator – Medical Services Section, Bureau of Monitoring and Auditing, Division of Workers’ Compensation, Department of Financial Services, telephone: (850)413-1721, email: Theresa.Pugh@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-31.002 Definitions.

In addition to the definitions in section 440.13(1), F.S., for the purposes of Rule Chapter 69L-31, F.A.C., the following definitions apply:

(a) “All Affected Parties” means the Carrier or the entity the Carrier designates to receive service.

(b) “Notice of Disallowance or Adjustment” means an Explanation of Bill Review (EOBR), as defined in paragraph 69L-7.710(1)(y), F.A.C., or any document that:

1. Identifies the amount of disallowance or adjustment of payment that corresponds with the medical bill submitted by the Health Care Provider;

2. Identifies the name and address of the Carrier and the entity issuing the document;

3. Contains a statement indicating that the document is issued for purposes of noticing the Health Care Provider of the disallowance or adjustment of payment for purposes of section 440.13(7), F.S.; and

4. Identifies specific EOBR codes related to the adjudication of each line item billed.

(c) “Petitioner” means the Health Care Provider, or entity acting on behalf of the Health Care Provider, submitting a Petition Form to contest Carrier disallowance or adjustment of payment.

(d) “Petition Form” means the Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, incorporated in Rule 69L-31.003, F.A.C.

(e) “Response Form” means the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC 3160-0024, incorporated in Rule 69L-31.004, F.A.C. Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History–New \_\_\_\_\_.

69L-31.003 Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, revised MM/2018, ~~(DFS Form 3160-0023, effective September 8, 2006)~~ is hereby incorporated by reference herein. This form may be obtained on the Department’s website internet at <https://www.myfloridacfo.com/Division/WC/PublicationsFormsManualsReports/Forms/Default.htm>

<http://www.myfloridacfo.com/wc/forms.html> or by contacting the Department at (850)413-1613.

(2) A petition to contest Carrier disallowance or adjustment of payment pursuant to section 440.13(7)(a), F.S., must be made on the Petition for Resolution of Reimbursement Dispute Form, regardless of whether the petition is submitted in hard copy or electronically. The Department will not accept any other form or document in lieu of the Petition Form. Instructions for submission of the Petition Form are included on the bottom of the Petition Form. Any submission seeking to contest the disallowance or adjustment of payment by a carrier pursuant to section 440.13(7)(a), F.S., must include a completed Petition for Resolution of Reimbursement Dispute Form.

(3) The Petitioner must submit the Petition Form to the Department within the timeframe set forth in section 440.13(7)(a), F.S., and must include with the Petition Form the documents listed below that support the allegations contained in the Petition Form:

(a) A copy of each Notice of Disallowance or Adjustment received from the Carrier and, if applicable, proof of the date of receipt, as required by subsection 69L-31.008(1), F.A.C.;

(b) A copy of all medical bill(s) or request(s) for reimbursement sent to the Carrier for which payment was disallowed or adjusted by the Carrier on each contested Notice of Disallowance or Adjustment;

(c) A copy of all documentation submitted to the Carrier in support of the medical service(s), bill(s), or request(s) for reimbursement that are subject to the dispute; and

(d) Any additional documents or records that support the allegations contained in the Petition Form.

(4) The Petition Form will be dismissed if all documentation required by subsections (3)(a)-(c), above, was not submitted with the Petition Form.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a), 440.13(11)(c) FS. History–New 11-28-06, Formerly 59A-31.003, Amended \_\_\_\_\_.

69L-31.004 Carrier Response to Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC 3160-0024, revised MM/2018, ~~(DFS Form 3160-0024, effective September 8, 2006)~~ is hereby incorporated by reference herein. This form may be obtained on the Department’s website Internet at <https://www.myfloridacfo.com/Division/WC/PublicationsFormsManualsReports/Forms/Default.htm> <http://www.myfloridacfo.com/wc/forms.html> or by contacting the Department at (850)413-1613.

(2) ~~The Carrier Response to Petition for Resolution of Reimbursement Dispute Form shall be considered a required element of the requested documentation to the Department~~

~~under section 440.13(7)(b), F.S. The Carrier Response to Petition for Resolution of Reimbursement Dispute Form is shall be the only form accepted by the Department upon which a Carrier may submit to the Department its response, pursuant to section 440.13(7)(b), F.S., to a Petition Form for Resolution of Reimbursement Dispute. Instructions for submission of the Response Form are included on the bottom of the Response Form. Any submission by a carrier pursuant to section 440.13(7)(b), F.S., that does not include a completed Carrier Response to Petition for Resolution of Reimbursement Dispute Form shall result in a notice of deficiency by the Department. A carrier shall have ten (10) calendar days from receipt of the notice of deficiency to cure the deficiency identified in the Department's notice of deficiency. Failure to timely cure the deficiency shall constitute failure to submit requested documentation to the Department.~~

(3) The Carrier must serve the Response Form, accompanied by all supporting documentation, on the Department in accordance with the timeframe set forth in section 440.13(7)(b), F.S.

(4) Using a delivery method that provides confirmation of the date of delivery, the Carrier must provide to the Petitioner, at the Petitioner's mailing address provided on the Petition Form, a copy of the Response Form and all supporting documentation served on the Department in response to the Petition Form. The Carrier must document the delivery tracking information in such detail that the Department can verify the Petitioner's receipt of the Response Form and supporting documentation.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.004, Amended .

Substantial rewording of Rule 69L-31.005 follows. See Florida Administrative Code for present text.

69L-31.005 Written Determinations Petition Requirements.

(1) The Department will render a written determination on whether the Carrier properly adjusted or disallowed payment by relying upon the applicable reimbursement schedules, practice parameters, protocols of treatment, and standards and policies set forth in chapter 440, F.S., and the rules promulgated therefrom, along with the Petition Form and Response Form (including all supporting documentation) submitted to the Department by the Petitioner and the Carrier to support their respective positions.

(2) In its written determination, the Department will address only the specific line item(s) in the Notice of Disallowance or Adjustment that the Petitioner contends were improperly disallowed or adjusted.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7), 440.13(11)(c), 440.13(14), 440.13(15) FS. History—New 11-28-06, Formerly 59A-31.005, Amended .

69L-31.006 Consolidation of Petitions.

(1) If multiple Petition Forms petitions addressing the same substantive issue(s) have been filed by a Ppetitioner contesting disallowance or adjustment of payment by the same Cearrier, the Department may, in its discretion, consolidate the Petition Forms petitions into a single determination.

(2) If the Department consolidates multiple petitions into a single determination, the timetable for rendering a determination upon a consolidated petition shall be expanded to 120 days after Department receipt of all documentation.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(e), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.006, Amended .

69L-31.007 Service of Petition on Carrier and All Affected Parties.

(1) The Ppetitioner must shall effectuate service upon the carrier and on All Affected Pparties by serving a copy of the Ppetition Form, and all supporting documentation submitted to the Department documents and records in support of the petition, by United States Postal Services (USPS) certified mail on the specific entity identified on the Notice of Disallowance or Ajustment Explanation of Bill Review as the entity the Cearrier designates to receive service of the Petition Form and all supporting documentation on behalf of the carrier and All Affected Pparties. If the Notice of Disallowance or Ajustment Explanation of Bill Review does not specifically identify the name and mailing address for of the entity the Cearrier designates to receive service on behalf of the carrier and All Affected Pparties (for EOBRs, this is required by subsection 69L-7.740(14), F.A.C.), as required by paragraph 69L-7.602(5)(q), F.A.C., the Ppetitioner may effectuate service of the Ppetition Form on upon the carrier and All Affected Pparties by serving a copy of the Ppetition Form, and all supporting documentation submitted to the Department, and copies of all documents and records in support of the petition by United States Postal Service (USPS) certified mail on upon the entity that who issued the Notice of Disallowance or Ajustment Explanation of Bill Review at the address from which the Notice of Disallowance or Ajustment Explanation of Bill Review was issued.

(2) A Petition for Resolution of Reimbursement Dispute must be served upon the carrier and all affected parties by United States Postal Service (USPS) certified mail. Service upon the carrier shall include one copy set of all documents and records submitted to the Department in support of the petition.

(3) Service by certified mail means service by United States Postal Service (USPS) certified mail. Service by United

~~States Postal Service (USPS) delivery other than USPS certified mail or service by common carrier does not constitute service by USPS certified mail, as required by section 440.13(7)(a), F.S., statute even if the Carrier's carrier delivery and receipt of the documents is petition are confirmed.~~

~~(4) If a carrier has not been properly served in accordance with this subsection, the petitioner will be notified by the Department of the deficiency in service. The petitioner shall have ten (10) calendar days from receipt of the notice of deficiency in service to provide the Department with proof the deficiency in service identified in the notice of deficiency has been cured by proper service. If the Department does not receive proof of proper service within ten (10) days after petitioner's receipt of the notice of deficiency, the petition will be dismissed with prejudice. For purposes of this rule, "proof of proper service" means that a copy of the petition and one copy set of all documents and records in support of the petition have been sent by United States Postal Service (USPS) certified mail to the proper entity at the proper address as set forth in this rule, and a certified mail receipt number is provided to the Department to confirm mailing.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.007, Amended .~~

Substantial rewording of Rule 69L-31.008 follows. See Florida Administrative Code for present text.

69L-31.008 Computation of Time.

(1)(a) The forty-five (45) day time period within which a Petition Form must be served on the Department begins upon receipt of the Notice of Disallowance or Adjustment by the Health Care Provider or by an entity designated by the Health Care Provider to receive such notice on behalf of the Health Care Provider.

(b) The Health Care Provider must document receipt of the Notice of Disallowance or Adjustment by either: 1) using a date stamp that clearly reflects the date of receipt of the Notice of Disallowance or Adjustment by the Health Care Provider; or 2) using a verifiable login process. A date-stamped Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt. A copy of the applicable portion of the login roster showing the date of login of the Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt through a verifiable login process.

(c) If receipt cannot be established through a date stamp or verifiable login process, the Petitioner may provide a copy of the envelope in which the Notice of Disallowance or Adjustment was sent that clearly and legibly shows the postmark date, in which case receipt will be deemed to be five (5) calendar days from the postmark date.

(d) If the Petitioner does not establish the date of its receipt of the Notice of Disallowance or Adjustment by any of the methods set forth in this subsection through documentation accompanying the Petition Form, the Health Care Provider's receipt of the Notice of Disallowance or Adjustment will be deemed to be five (5) calendar days from the issue date on the Notice of Disallowance or Adjustment. An affidavit attesting to the date of receipt will not be accepted as proof of the date of receipt.

(2) Petitioning the Department to resolve a Reimbursement Dispute is effectuated upon service of the Petition Form and supporting documentation on the Department. The timeliness of a Petition Form will be calculated based on the date of service of the Petition Form on the Department in accordance with subsection (4), below.

(3) The thirty (30) day time period within which a Response Form must be served on the Department begins upon the date the Carrier receives the Petition Form, which will be established by the USPS certified mail receipt date. Timely submission by the Carrier to the Department of the Response Form and supporting documentation will be determined based on the date of service of the Response Form and supporting documentation on the Department in accordance with subsection (4), below.

(4) Service of a Petition Form or Response Form on the Department must be by USPS mail, by common carrier, by hand delivery, or by electronic submission via the Division of Workers' Compensation Medical Services Web Portal. If service is by USPS mail, the date of service on the Department will be the postmark date placed on the envelope by USPS. If service is by common carrier, the date of service on the Department will be the common carrier pick-up date. If service on the Department is by hand delivery, the date of service will be the date the Petition Form or Response Form is hand delivered to the receptionist at the hand delivery address listed on the forms (which can only be accomplished Monday through Friday, between 8:00 a.m. and 5:00 p.m., Eastern Time, excluding state of Florida holidays). If service is by electronic submission via the Division of Workers' Compensation Medical Services Web Portal, the date of service will be the date the Department receives the electronic submission.

(5) Time periods established for petitioning the Department to resolve a Reimbursement Dispute or responding to a Petition Form are not tolled by any of the following actions: requesting an on-site audit; conducting an on-site audit; referral of the Health Care Provider for peer review consultation; or an independent medical examination of the injured employee.

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a) and (b), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.008, Amended .~~



## 69L-31.009 Carrier Response Requirements.

~~(1) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form, accompanied by all requested information, must be served upon the Department within ten (10) days after receipt of a copy of the petition by United States Postal Service (USPS) certified mail. However, where the Carrier has received curative documentation from the Petitioner pursuant to subsection 69L-31.005(2), F.A.C., the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, accompanied by all requested information, must be served upon the Department within ten (10) calendar days after receipt, by the carrier of the curative documentation from the Petitioner. The carrier's response to the petition must include a completed Carrier Response to Petition for Resolution of Reimbursement Dispute Form (DFS Form 3160-0024, effective September 8, 2006). Failure of the carrier to meet these requirements constitutes waiver of all objections to the petition.~~

~~(2) The carrier shall provide to the petitioner, using a delivery method which provides confirmation of date of delivery, at the petitioner's mailing address on the Petition for Resolution of Reimbursement Dispute Form, a copy of the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, and one copy set of all accompanying information served upon the Department in response to the petition.~~

~~(3) Documents and records accompanying the carrier's Response to Petition for Resolution of Reimbursement Dispute Form must be in hard copy.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) FS. History—New 11-28-06, Formerly 59A-31.009, Repealed.~~

## 69L-31.010 Effect of Non-Response by Carrier.

~~Failure of the carrier to timely submit a Carrier Response to Petition for Resolution of Reimbursement Dispute Form (DFS Form 3160-0024, effective September 8, 2006) and accompanying documentation substantiating its disallowance or adjustment of payment constitutes a waiver of all objections to the petition. Waiver of all objections to the petition shall result in the Department determination and final order being based solely upon the allegations and supporting documentation submitted by the petitioner.~~

~~Rulemaking Authority 440.13(7), 440.591 FS. Law Implemented 440.13(7)(b) FS. History—New 11-28-06, Formerly 59A-31.010, Repealed.~~

## 69L-31.011 Complete Record.

~~The evidentiary record upon which the Department's determination will be made shall be the Petition for Resolution of Reimbursement Dispute Form and all supporting documents and records accompanying the petition and the Carrier's Response to Petition for Resolution of Reimbursement Dispute~~

~~Form and all accompanying documents. However, if the petitioner and carrier enter into a joint stipulation of the parties pursuant to Rule 69L-31.012, F.A.C., the evidentiary record upon which the Department's determination will be made shall also include all additional supporting documentation submitted to the Department by the parties within the 10 calendar day period provided for in Rule 69L-31.012, F.A.C.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(c) FS. History—New 11-28-06, Formerly 59A-31.011, Repealed.~~

## 69L-31.012 Joint Stipulation of the Parties.

~~Within fourteen (14) calendar days subsequent to service upon the Department of the carrier response, the petitioner and carrier may serve upon the Department a joint stipulation of the parties, mutually stipulating in writing that the reimbursement dispute be held in abeyance for a specified time period, not to exceed sixty (60) calendar days, for the parties to seek a resolution of the reimbursement dispute without the need for a determination by the Department. Service of a joint stipulation of the parties upon the Department shall be by one of the methods by which a petition is served upon the Department in subsection 69L-31.008(2), F.A.C. At the conclusion of the specified time period in such joint stipulation, or upon earlier notice in writing served upon the Department and the other party(ies) to the joint stipulation by any party to such joint stipulation that the negotiations to resolve the reimbursement dispute are at an impasse, the Department will proceed to make a determination on the reimbursement dispute. At the time the abeyance of the dispute is concluded, the Department will allow the parties to such joint stipulation ten (10) calendar days to serve any additional supporting documentation a party wishes to be considered in making a determination on the dispute. If a reimbursement dispute is held in abeyance pursuant to a joint stipulation of the parties, the 60-day time period for the Department to issue a determination shall commence when the 10-day period for serving additional documentation ends.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History—New 11-28-06, Formerly 59A-31.012, Repealed.~~

## 69L-31.013 Petition Withdrawal.

~~(1) Prior to the issuance of a determination, the Ppetitioner may voluntarily withdraw its Petition Form for Resolution of Reimbursement Dispute.~~

~~(2) The withdrawal must of a petition shall be in writing and must clearly indicate:~~

~~(a) The case number assigned by the Department; or~~

~~(b) The name of the Ppetitioner health care provider or facility requesting withdrawal; (b) [The name of the Ccarrier against which whom the Reimbursement Dispute petition has been initiated; (c) [The date(s) of service identified on the~~

~~Petition Form, covered by the petition; and (d) (The identity of the injured employee to whom medical services were delivered.~~

~~(3) Upon the Department's The result of receipt by the Department of a written request for withdrawal of a Petition Form, the Department will close its file on the matter without further action petition shall be dismissal of the determination case by the Department.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a) and, (c), 440.13(11)(c) FS. History--New 11-28-06, Formerly 59A-31.013, Amended .~~

69L-31.014 Overutilization Issues Raised in Reimbursement Dispute Resolution.

If the ~~Carrier, in its Carrier Response to Petition for Resolution of Reimbursement Dispute,~~ asserts in its Response Form and submits documentation substantiating that a basis for disallowing the Health Care Provider's petitioner's claim for reimbursement payment is overutilization by the Health Care Provider and submits documentation substantiating the assertion, and the Department, in its discretion, determines that the ~~Reimbursement Dispute~~ cannot be resolved without addressing the overutilization issue, the Department will issue a determination finding pursuant to section 440.13(7), F.S., that the ~~Reimbursement Dispute~~ cannot be resolved under section 440.13(7), F.S., and is being converted to a proceeding under either section sections 440.13(8) or 440.13(11), F.S., or both.

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) and (c), 440.13(11)(c) FS. History--New 11-28-06, Formerly 59A-31.014, Amended .~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Theresa Pugh

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: CFO Jimmy Patronis

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 05/14/2018

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

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.:           RULE TITLE:  
19B-18.003       Participation Agreement  
                          NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 144, July 25, 2018 issue of the Florida Administrative Register.

19B-18.003 Participation Agreement.

The Participation Agreement, Form No. FPCB ~~2016~~2018-07, [Insert DoS Reference Website Link], is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2018-08, [Insert DoS Reference Website Link], is hereby incorporated by reference. Rulemaking Authority 1009.971(1), (4), 1009.986(10) FS. Law Implemented 1009.986 FS. History--New 6-23-16, Amended 2-14-17, Amended \_\_\_\_\_ .

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.:           RULE TITLE:  
19B-18.003       Participation Agreement  
                          NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 144, July 25, 2018 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee

19B-18.003

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

The Agency has determined that the proposed changes to Rule 19B-18.003 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. These changes are made only to modify the customer terms and conditions as a result of the Federal Tax Cuts and Jobs Act of 2017, and do not change the operations of or the costs incurred by the Board in administering its programs. A SERC has not been prepared by the Agency and legislative ratification is not required. The two revised forms incorporated by reference in Rule 19B-18.003 are also modified to reflect amendment in 2018 with corrected form numbers.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NOS.:       RULE TITLES:  
64B8-13.005     Continuing Education for Biennial Renewal  
64B8-13.008     Requirement for Continuing Education  
                          Course on Prescribing Controlled  
                          Substances

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 137, July 16, 2018 issue of the Florida Administrative Register.

One of the entities listed in both rules was referred to as the "Florida Psychiatric Association." The correct title of the entity in both rules should be the "Florida Psychiatric Society." The

Florida Psychiatric Society is the name of the entity approved by the Board at the June 8, 2018, Board of Medicine meeting. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

RULE NOS.:	RULE TITLES:
69V-40.002	Adoption of Forms
69V-40.0312	Application Procedure for Loan Originator License
69V-40.0313	Loan Originator License Renewal and Reactivation

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 119, June 19, 2018 issue of the Florida Administrative Register.

Rule 1-1.013(2)(a), F.A.C., requires an incorporated form to be identified by both a form number and title.

69V-40.002(1)(b)6., should read:

(1)(b)6. Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective XX-XXXX, and incorporated by reference in Rules 69V-40.0312 and 69V-40.0313, F.A.C., and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>;

69V-40.0312(7), should read:

(7) Persons wishing to obtain a waiver of licensure fees as set forth in s. 494.00312(8), F.S., shall submit to the Office of Financial Regulation, via electronic filing through the Registry, a completed Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective XX-XXXX, which is hereby incorporated by reference, and also incorporated by reference in Rule 69V-40.002, F.A.C., and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. Such form must be submitted within one hundred (180) days after payment of licensure fees. For the complete processing of Form OFR-MIL-001, a loan originator application must be deemed received pursuant to the provisions of s. 494.00312(3), F.S.

69V-40.0313(6), should read:

(6) Persons wishing to obtain a waiver of licensure fees as set forth in s. 494.00313(4), F.S., shall submit to the Office of Financial Regulation, via electronic filing through the Registry, a completed Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service

Verification, Form OFR-MIL-001, effective XX-XXXX, which is hereby incorporated by reference, and also incorporated by reference in Rule 69V-40.002, F.A.C., and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. For complete processing, Form OFR-MIL-001 must be submitted within one hundred eighty (180) days after payment of renewal fees.

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NOS.:	RULE TITLES:
69W-600.002	Application for Registration as Associated Person (FINRA Dealer)
69W-600.0022	Application for Registration as an Associated Person (Non-FINRA Dealer)
69W-600.0023	Application for Registration as an Associated Person (Issuer/Dealer)
69W-600.0024	Application for Registration as an Associated Person (Investment Adviser and Federal Covered Advisor)

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 119, June 19, 2018 issue of the Florida Administrative Register.

Rule 1-1.013(2)(a), F.A.C., requires an incorporated form to be identified by both a form number and title.

69W-600.002(1)(b)3. & 8(c), should read:

(1)(b)3. Persons requesting a fee waiver as set forth in s. 517.12(10), F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

(8)(c) Persons requesting a fee waiver as set forth in s. 517.12(11) F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

69W-600.0022(1)(b)3. & (8)(c), should read:

(1)(b)3. Persons requesting a fee waiver as set forth in s. 517.12(10), F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample

form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

(8)(c) Persons requesting a fee waiver as set forth in s. 517.12(11) F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

69W-600.0023(1)(b)3. & (8)(c), should read:

(1)(b)3. Persons requesting a fee waiver as set forth in s. 517.12(10), F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

(8)(c) Persons requesting a fee waiver as set forth in s. 517.12(11) F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

69W-600.0024(1)(b)3. & (8)(c), should read:

(1)(b)3. Persons requesting a fee waiver as set forth in s. 517.12(10), F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

(8)(c) Persons requesting a fee waiver as set forth in s. 517.12(11) F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

## Section IV Emergency Rules

NONE

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

### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.221 Conditions for Issuance of Standard Permits

NOTICE IS HEREBY GIVEN that on July 12, 2018, the South Florida Water Management District (District), received a petition for waiver from Larry Mixon, owner of Lake Port RV Resort, LLC, (Application No. 18-0712-1) for utilization of Works or Lands of the District known as the L-49 Canal to allow a screened structure on an existing dock located at the rear of Lake Port Resort, LLC, 1076 Lakeport Plaza; Section 18, Township 40, Range 33 East, Glades County. The petition seeks relief from paragraph 40E-6.221(3)(j), Fla. Admin. Code which governs the criteria for the construction of structures within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email at [jurussel@sfwmd.gov](mailto:jurussel@sfwmd.gov). The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

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### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 24, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2009 FDA Food Code from Xurro Inc. located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect

wastewater at the three compartment sink and the handwash sink.

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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On July 13, 2018, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2009 FDA Food Code from Team 300 Inc. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/137 on July 16, 2018. The Order for this Petition was signed and approved on July 24, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On July 16, 2018, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2009 FDA Food Code from Café Cafe LLC located in Sunrise. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/138 on July 17, 2018. The Order for this Petition was signed and approved on July 24, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NOS.:RULE TITLES:

62B-33.002 Definitions

62B-33.0051 Coastal Armoring and Related Structures

The Department of Environmental Protection hereby gives notice:

that on July 16, 2018, Ocean Villas Serenata Beach Condominium withdrew its Petition for a Variance. The Petition for Variance was received on June 8, 2017. Notice of receipt of the Petition was published in the Florida

Administrative Register on June 20, 2017. The petition requested a variance from rule provisions of subsections 62B-33.002(55), F.A.C., 62B-33.002(56), F.A.C., 62B-33.002(63), F.A.C., (definitions of “shoreline”, “shoreline rate change”, and “vulnerability”, respectively), and sub-subparagraph 62B-33.0051(1)(a)2.c., F.A.C., a rule applicable to coastal armoring, which requires that when an eligible structure demonstrates that the structure would be vulnerable to damage following the occurrence of erosion from a 15-year return interval storm, construction of coastal armoring shall be authorized by the Department.

A copy of the Order or additional information may be obtained by contacting: Avery Lehmann, Department of Environmental Protection, MS 3511, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-7534; during normal business hours, 8:00 a.m. – 5:00 p.m. Monday through Friday, except legal holidays.

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DEPARTMENT OF HEALTH

RULE NOS.:RULE TITLES:

64-4.004 Revocation of Dispensing Organization Approval

64-4.005 Inspection and Authorization Procedures

NOTICE IS HEREBY GIVEN that on July 19, 2018, the Department of Health received an Emergency Petition for Variance from 3 Boys Farm LLC. The petition seeks a variance from the requirements of Rules 64-4.004 and 64-4.005, F.A.C., with regard to the requirement for a Medical Marijuana Treatment Center to begin dispensing product within 210 days of receipt of authorization to begin cultivation or have its approval revoked. Any interested person or other agency may submit written comments within 5 days after the publication of this notice to Shannon Revels, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703 or by facsimile at (850)413-8743.

A copy of the Emergency Petition for Variance may be obtained by contacting: Courtney Coppola, Department of Health, Office of Medical Marijuana Use, 4052 Bald Cypress Way, Bin M-01, Tallahassee, Florida 32399 or by email at courtney.coppola@flhealth.gov.

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DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-13.003 Proof of Completion of Continuing Medical Education Hours

The Board of Osteopathic Medicine hereby gives notice: that on June 11, 2018, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Kenneth S. Conte, D.O., on March 30, 2018, seeking a waiver or variance from Rule 64B15-13.003, F.A.C., with

regard to proof of completion of continuing medical education hours. The Notice was published in Volume 44, No. 66, of the Florida Administrative Register, on April 4, 2018. The Board, at its meeting held on May 18, 2018, voted to deny the Petition for Waiver finding that the Petition was not in substantial compliance with the provisions of Section 120.542, F.S.; that Petitioner failed to demonstrate a substantial hardship; that Petitioner failed to demonstrate that application of the rule would violate the principles of fairness; and failed to demonstrate that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3056.

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DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Division of Emergency Preparedness and Community Support hereby gives notice:

An order was issued disposing of the Petition for Declaratory Statement filed by North Collier Fire Control and Rescue District on January 22, 2018. The following is a summary of the agency's disposition of the petition: the Notice of Declaratory Statement was published on February 27, 2018, in Vol. 44, No. 40, of the Florida Administrative Register. Petitioner sought the Division's interpretation of subparagraph 381.004(2)(h)10. and subsection 401.445(2), F.S. Petitioner sought a determination specifically as to subparagraph 381.004(2)(h)10., Florida Statutes, concerning possible HIV infection; 1) what is meant by the language “the occurrence of a significant exposure shall be documented by medical personnel under the supervision of a licensed physician” and how and by whom must that supervision be accomplished; 2) the timeframe under which medical personnel must be tested for HIV, or must provide the results of an HIV test taken within six months before significant exposure if such test results are negative; and 3) whether Petitioner can also test for Hepatitis at the same time it tests for HIV after a significant exposure. Additionally, regarding treatment of incapacitated patients and the applicability of subsection 401.445(2), Florida Statutes, the Petitioner seeks an opinion regarding whether patients who exhibit signs or have a reasonable appearance of mental illness or incapacity are “otherwise incapable of providing informed consent” such that Petitioner may examine, treat, take to the hospital or administer other appropriate treatment without consent to such patients, including but not limited to administration of a preliminary HIV test or a Hepatitis test.

The Division's Order, filed April 23, 2018, dismissed the petition without an opinion on the merits.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Florida Department of Health,

(by mail) 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399-1703; (by hand delivery) 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL; (850)245-4005; Shannon.Revels@flhealth.gov.

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Florida Forest Service**

The Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2018, 1:00 p.m.

PLACE: Doyle Conner Building, 3125 Conner Boulevard, First Floor, Eyster Auditorium, Tallahassee, Florida 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting items of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: Lorna Radcliff at 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)681-5870 or at Lorna.Radcliff@freshfromflorida.com.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Executive Office of the Governor – Chief Inspector General’s Office announces a public meeting to which all persons are invited.

DATE AND TIME: July 30, 2018, 10:00 a.m. – 11:00 a.m.

PLACE: The Capitol, 2nd Floor, House Committee Room 216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The candidates to be submitted to the Financial Services Commission regarding the selection of the Inspector General for Citizens Property Insurance Corporation.

A copy of the agenda may be obtained by contacting: Blair Mathers, e-mail: Blair.Mathers@eog.myflorida.com or Phone: (850)717-9264. Audio/Visual distribution of the meeting will be distributed at www.TheFloridaChannel.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 2 days before the workshop/meeting by contacting: Blair Mathers, e-mail: Blair.Mathers@eog.myflorida.com or Phone: (850)717-9264. 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).

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2018, 10:00 a.m.

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Emergency Planning Committee (LEPC) quarterly meeting.

A copy of the agenda may be obtained by contacting: Tyler Nolen at (904)279-0880 or tnolen@nefrc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (904)279-0880. 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**

**St. Johns River Water Management District**

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 3, 2018, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL32177, sdavis@sjrwmd.com, (407)659-4838 or by visiting the Council’s website at harrischainoflakescouncil.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: The District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Davis, 4049 Reid Street, Palatka, FL 32177, sdavis@sjrwmd.com, (407)659-4838.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

The Florida Board of Orthotists & Prosthetists announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 1, 2018, 1:30 p.m.

**PLACE:** Teleconference call:1(888)670-3525, participant code: 5134896685

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This notice will replace #20581768. General board business and disciplinary matters .

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

The Board of Medicine – Full Board Meeting announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, August 2, 2018, immediately following the Finance & Process Accountability Committee Meeting or soon thereafter. This portion of the meeting has been cancelled.

**PLACE:** GalleryOne Fort Lauderdale, 2670 East Sunrise Boulevard, Fort Lauderdale, Florida 33304. The hotel phone #: (954)565-3800.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Board. Meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. This portion of the meeting has been cancelled as of July 20, 2018.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at

BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

**NOTICE IS HEREBY GIVEN** that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by James E. Olsen, Esq., In Re: Gardenia Oceanfront Condominium Association, Inc., Docket No. 2018023245, on April 27, 2018. The following is a summary of the agency's declination of the petition:

The Division declined to issue a statement because the governing documents are ambiguous and unclear; and the issue is not within the statutory authority of the Division. The order was filed with the Agency Clerk on July 17, 2018.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; [Danielle.Walker@myfloridalicense.com](mailto:Danielle.Walker@myfloridalicense.com).



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Joel Martin McTague, Esq. on behalf of Mariela Perez and Jesus Mayan, In Re: Ocean Isles Fishing Village, Inc., Docket No. 2018022912, on April 25, 2018. The following is a summary of the agency's declination of the petition:

The Division declined to issue a statement because it cannot issue a statement on an issue not within its statutory authority; or where there is related pending litigation. The order was filed with the Agency Clerk on July 17, 2018.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Lauren Esteban, In Re: Beach Club Colony Condo, Inc., Docket No. 2018023238, on April 27, 2018. The following is a summary of the agency's declination of the petition:

The Division declined to issue a statement because the issue is not within its statutory enforcement authority; and because it cannot interpret the Association's governing documents rather than the applicability of a statute, rule, or order of the Division; and cannot issue a statement regarding past conduct. The order was filed with the Agency Clerk on July 17, 2018.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

NOTICE IS HEREBY GIVEN that the Board of Veterinary Medicine has issued an order disposing of the petition for declaratory statement filed by Jerry Alan Greene on April 27, 2018. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 44, No. 97, of the May 17, 2018 Florida Administrative Register. The Petitioner sought a declaratory statement from the Board with regard to subsections 474.202(10) and 474.215(2), F.S. and 61G18-17.005(1)(a)(b), (2), (3), F.A.C., as to whether the practice of veterinary medicine is the sole responsibility of the responsible veterinarian. The Board considered the instant Petition at a duly-noticed public meeting held on June 15, 2018 in St. Petersburg, Florida. The Board's Order, filed on July 9, 2018, denies the petition because the petition lacks the requisite components for the issuance of a declaratory statement and Petitioner lacks standing to request the statement.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Ruthanne Christie, Executive Director, Division of Professions, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, (850)487-1395 or by electronic mail at Ruthanne.Christie@myfloridalicense.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:

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

Interior Renovations of The Irradiation Facility

Invitation to Bid

As a contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, hereinafter referred to as owner, for the interior renovation of the irradiation facility located at the Division of Plant Industry, 1911 SW 34th Street, Gainesville, Florida. The project budget is estimated to be \$500,000.

The contractor shall provide all materials, labor and equipment necessary to successfully complete the project in accordance with the terms and conditions of the Invitation to Bid.

**PROJECT NAME AND LOCATION:** Interior Renovations of The Irradiation Facility, located at 1911 SW 34th Street, Gainesville, Florida.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form), Bid Number ITB/PI-18/19-13, or by calling the purchasing office at (850)617-7181.

**MANDATORY PRE-BID CONFERENCE/SITE VISIT:** Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held at 11:00 a.m., EST, on August 9, 2018, at the Division of Plant Industry, 1911 SW 34th Street, Gainesville, Florida. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime; may

not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two, for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION, DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate, who has been placed on the discriminatory vendor list, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not award or perform work as a contractor, supplier, subcontractor or consultant under contract with any public entity and may not transact any business with any public entity.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** Each bid shall be accompanied by a performance bond in the amount of one-hundred percent (100%) of the base bid price.

**BID BOND:** Each bid shall be accompanied by a bid bond guarantee payable to the Department in the amount of five percent (5%) of the base bid price.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** August 13, 2018 at 2:00 p.m.

**PLACE:** Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8, Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

Failure to file a protest within the time prescribed in subsection 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the owner.

**STATE BOARD OF ADMINISTRATION**

Invitation to Negotiate

The State Board of Administration of Florida solicited competitive responses from parties interested in offering loss reimbursement examination services to the Florida Hurricane Catastrophe Fund (FHCF). A meeting will be held on August 2,

2018, for the final selection and recommendation by the evaluation team. The SBA reserves the right to reject any or all competitive responses and to cancel any ITNs.

The meeting is open to the public and shall take place at the time and location shown below.

TIME: 2:00 p.m. (ET) until conclusion of meeting. Persons who wish to participate by phone may call: 1(888)670-3525, conference code: 7135858151.

PLACE: Room 116, Hermitage Conference Room, Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, Florida 32308.

Any person requiring special accommodations to participate in the meeting is asked to advise Linda Guyas, State Board of Administration, P.O. Box 13300, Tallahassee, FL 32317-3300; (850)413-1336; linda.guyas@sbafla.com; at least seven (7) calendar days before the meeting.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 Ponce de Leon Springs State Park – Additional Visitor Parking  
**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 BDC08-18/19, Ponce de Leon Springs State Park – Additional Visitor Parking. More info @ <https://tinyurl.com/BDC08-18-19>

**DEPARTMENT OF CHILDREN AND FAMILIES**  
**REROOF BUILDING 1243, FLORIDA STATE HOSPITAL, CHATTAHOOCHEE**  
 Proposals are requested from STATE CERTIFIED ROOFING CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:  
**PROJECT NO:** DCF - 18200500  
**TITLE:** REROOF BUILDINGS NO. 1243 MEDICAL SERVICES UNIT, MEDICAL/ACUTE CARE SERVICES  
**SITE:** FLORIDA STATE HOSPITAL, CHATTAHOOCHEE, FLORIDA, 32324  
**PREQUALIFICATION:** Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Roofing Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.  
**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the ARCHITECT/ENGINEER.

A/E: Department of Children and Families, Office of General Services, Design, and Construction, 1317 Winewood Blvd., Building #3, Room 205-G, Tallahassee, Florida 32399-0700  
 TEL#: (850)717-4011

E-MAIL: bill.bridges@myflfamilies.com

**BID DOCUMENTS:** Full sets of Drawings and Specifications may be purchased from the ARCHITECT/ENGINEER, by payment of printing and handling costs at the rate of \$10.00 per bid set.

**MANDATORY PRE-BID MEETING:** A mandatory pre-bid meeting will be held on THURSDAY, AUGUST 16, 2018 at 10:00 a.m. local time (eastern time). The meeting will be held at Maintenance & Facilities Conference Room, 1123 Engineering Road on Florida State Hospital Campus, Chattahoochee, Florida.

**BONDING REQUIREMENTS:** See Section B-11 for bid guarantee requirements. See Section C-5 for Public Construction bond requirements.

**BID OPENING:** Sealed bids will be received, publicly opened and read aloud at:

DATE: August 29, 2018, Wednesday

TIME: 2:00 p.m. local time

LOCATION: 1317 Winewood Blvd., Building #3, Room 205G, Tallahassee, Florida. Opening and reading bids aloud will occur in Building #3, Room 202, Conference Room.

**PROJECT DESCRIPTION:** All work to be performed shall be located on the campus of Florida State Hospital, Building #1243, Medical Services Unit and Medical/Acute Care Services, Chattahoochee, Florida. The existing building project (4,500 square feet plus or minus) roof system consist of 3 plies of glass felt hot mopped with hot asphalt and bituminous cap sheet over lightweight insulating concrete over structural concrete deck. The Work shall consist of removing all felts, bituminous roofing cap, parapet coping and wall flashings. Contractor shall inspect existing insulating concrete deck for moisture. If moisture is present, allow roof to remain open - dry to the roofing manufacturers and bonding agent manufactures approval before proceeding with new roof system. Adhere 1-1/2" thick insulation over existing lightweight concrete deck and provide additional slope on the existing crickets by adding additional 1/4" per foot tapered insulation board, factory made crickets, adhere 1/2" cover board, and 60 mil PVC membrane roofing system. install new factory fabricated parapet coping system, install fascia and drip edge on all roof edges tying in with existing gutters and scupper system.

Start-up date, November 1, 2018.

**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 3:00 p.m., Wednesday, July 18, 2018 and 3:00 p.m., Tuesday, July 24, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
61-19.006	7/20/2018	8/9/2018
61G15-20.002	7/19/2018	8/8/2018
61G15-24.001	7/19/2018	8/8/2018
61G15-27.001	7/19/2018	8/8/2018
64B1-3.009	7/20/2018	8/9/2018
64B1-3.010	7/20/2018	8/9/2018
64B1-9.007	7/20/2018	8/9/2018
64B4-3.001	7/18/2018	8/7/2018
64B4-4.002	7/18/2018	8/7/2018
64B4-4.003	7/18/2018	8/7/2018
64B4-4.005	7/18/2018	8/7/2018
64B4-4.013	7/18/2018	8/7/2018
64B15-13.001	7/20/2018	8/9/2018
64B15-19.002	7/20/2018	8/9/2018
64B15-19.0065	7/20/2018	8/9/2018
64B15-19.007	7/20/2018	8/9/2018
68A-13.003	7/24/2018	7/13/2018
68A-15.061	7/20/2018	8/9/2018
68A-27.003	7/20/2018	7/20/2018
68B-14.0035	7/20/2018	7/23/2018
<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>

60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Certificate of Need

**EXEMPTION**

The Agency for Health Care Administration approved the following exemption on July 24, 2018 pursuant to subsection 408.036(3), Florida Statutes:

ID # E180024, District: 7-3 (Osceola County)

Facility/Project: Blackberry Center

Applicant: Oglethorpe of Orlando, Inc.

Project Description: Add 22 adult psychiatric beds

Proposed Project Cost: \$0

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT**

**NOTICE OF RULEMAKING FOR CREDIT CARD USAGE FEES, ENGINEERING REVIEW FEES, ADOPTION OF THE CROSS CONNECTION CONTROL PROGRAM, ADOPTION OF THE BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT DESIGN AND SPECIFICATION MANUAL, VOLUMES 1 -3, AND ADOPTION OF THE REVISED UTILITIES POLICIES MANUAL**

A public hearing will be conducted by the Babcock Ranch Community Independent Special District (“District”) on August 23, 2018, at 1:00 p.m. at 14750 State Road 31, Punta Gorda, Florida 33982. The public hearing will be a rulemaking hearing and will provide an opportunity for the public to address proposed rules that set fees and charges related to the use of a credit card to pay for District fees and charges, setting fees and charges related to engineering review fees, adoption of a Cross Connection Control Program, adoption of Babcock Ranch Community Independent Special District Design and Specification Manual, Volumes 1-3; and adoption of the revised Babcock Ranch Water Utilities Policies Manual. The purpose and effect of the proposed rules is to provide for efficient and effective District operations, and to provide sufficient revenues to meet expenses and provide services within boundaries of the District. Prior notice of rule development for the rulemaking hearing was published in the Florida Administrative Register on July 24, 2018. The proposed fees are as follows:

Credit Card Fee: Not to Exceed 4% of Total Charge

Engineering Review Fees:

Site Development Plan Review	40 Plan Sheets or
	Greater than 40 Plan Sheets - \$2,500.00
	Resubmittal- \$750.00

	Minor Modification - \$500.00
	Major Modification - Same as Initial Fee
Right of Way Plan Review	\$230
Stormwater 10 acres or less (Live ICPR Files not Provided)	\$5,000
Stormwater more than 10 acres (Live ICPR Files not Provided)	\$5,000 + \$42 per acre
Stormwater 10 acres or less (Live ICPR Files Provided)	\$4,000
Stormwater more than 10 acres (Live ICPR Files Provided)	\$4,000 + \$21 per acre
Stormwater (Live ICPR Files Provided with Full Master Development Update)	\$1,000
Variance Request	\$175

Office. A copy of the proposed rules may be obtained by contacting: the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410w, Boca Raton, Florida 33431 or by calling (561)571-0010.

Craig Wrathell, Manager

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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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**Babcock Ranch Water Utilities:**

Reuse on a Bulk Basis+/- \$0.55 per 1000 gal

Specific legal authority for the rules includes section 120.054, Florida Statutes, and Chapter 2007-306, Laws of Florida, as amended. Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

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

TIME AND DATE: August 23, 2018 at 1:00 p.m.

PLACE: 14750 State Road 31, Punta Gorda, Florida 33982

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. Any person requiring special accommodations at the hearing because of a disability or physical impairment should contact the District Office at (561)571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1(800)955-8770, for aid in contacting the District