

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Medicine

<p>RULE NOS.: 64B8-30.014 64B8-30.015</p>	<p>RULE TITLES: Citation Authority Disciplinary Guidelines</p>
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PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth citation violations and disciplinary guidelines for physician assistants for failure to consult the prescription drug monitoring system.

SUBJECT AREA TO BE ADDRESSED: Additional violations which are appropriate for the issuance of a citation and disciplinary guidelines related to failure to consult the prescription drug monitoring system.

RULEMAKING AUTHORITY: 456.077, 456.079, 458.309, 458.331(5), 458.347(7)(f), (13) FS.

LAW IMPLEMENTED: 456.072, 456.077, 456.079, 458.331, 458.347(4)(e)1., (7)(f), (13) 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: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

<p>RULE NOS.: 64B15-6.01051 64B15-6.011</p>	<p>RULE TITLES: Citation Authority Disciplinary Guidelines</p>
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PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth citation violations and disciplinary guidelines for physician assistants for failure to consult the prescription drug monitoring system.

SUBJECT AREA TO BE ADDRESSED: Additional violations which are appropriate for the issuance of a citation and disciplinary guidelines related to failure to consult the prescription drug monitoring system.

RULEMAKING AUTHORITY: 456.077, 456.079, 459.005, 459.015(5), 459.022(7)(f), (12) FS.

LAW IMPLEMENTED: 456.072, 456.077, 459.015, 459.022(4)(e)1., (7)(d), (f), (12) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

Section II

Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

<p>RULE NO.: 59G-8.600</p>	<p>RULE TITLE: Disenrollment from Managed Care Plans</p>
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PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-8.600, Florida Administrative Code, (F.A.C.), is to clarify the good cause reasons for which an enrollee may request to change managed care plans.

SUMMARY: The amendment updates citations from Title 42, Code of Federal Regulations (CFR), section 438.56 and clarifies requirements relating to good cause reasons.

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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.961 FS.

LAW IMPLEMENTED: 409.969 FS.

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

DATE AND TIME: September 27, 2018, 3:30 p.m. to 4:00 p.m.

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

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: Margaret Dorceus. 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: Margaret Dorceus, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (904)798-4251, e-mail: Margaret.Dorceus@ahca.myflorida.com.

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. September 28, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-8.600 Disenrollment from Managed Care Plans.

(1) Purpose. A Florida Medicaid recipient (herein referred to as an enrollee) who is required to enroll in the Statewide Medicaid Managed Care (SMMC) Managed Medical Assistance (MMA) or Long-term Care (LTC) program, may request to change managed care plans. Requests must be submitted via telephone or in writing to the Agency for Health Care Administration (AHCA) or its enrollment broker. Enrollees required to enroll in SMMC programs should not interpret this rule as an exemption from participation in Florida Medicaid's SMMC program. This rule applies to the process and reasons that SMMC managed care plan enrollees may change plans.

(2) Requests for disenrollment must be completed in accordance with Sections 409.969(2)(a) and (b), Florida Statutes (F.S.), and Title 42, Code of Federal Regulations (CFR), Section 438.56 (42 CFR 438.56).

(3) Good Cause Reasons.

(a) The following reasons per 42 CFR ~~Section~~ 438.56(d)(2) and Section 409.969(2), F.S., and as confirmed by AHCA,

constitute good cause for disenrollment from a managed care plan:

~~1. The enrollee received services within the past six months preceding a disenrollment request, from a service provider that is not in the managed care plan's network, but is in the network of another managed care plan.~~

~~1.2.~~ The managed care plan does not cover the service the enrollee seeks because of moral or religious objections.

~~3. The enrollee received a notice from his or her managed care plan of a reduction in benefits following an amendment to the managed care plan's SMMC contract.~~

2. The enrollee would have to change his or her residential or institutional provider based on the provider's change in status from an in-network to an out-of-network provider with the LTC managed care plan, and the provider is in the network of the managed care plan requested by the enrollee.

(b) The following reasons, per 42 CFR 438.56(d)(2) and section 409.969(2), F.S., as confirmed by AHCA, constitute good cause for disenrollment from a managed care plan ~~when~~ the enrollee must first seeks seek resolution through the managed care plan's grievance process in accordance with 42 CFR ~~Section 438.56(d)(5).~~ The Agency for Health Care Administration will review the outcome of the enrollee's grievance or appeal:

~~1. The enrollee is prevented from participating in the development of his or her treatment plan or plan of care.~~

~~1.2.~~ The enrollee needs related services to be performed concurrently, but not all related services are available within the managed care plan's network, ~~and~~ the enrollee's primary care provider (PCP) or another provider has determined that receiving the services separately would subject the enrollee to unnecessary risk, and the services can be performed concurrently by a provider in the network of the managed care plan requested by the enrollee.

~~2.3.~~ Poor quality of care ~~which does not meet the quality standards established in the managed care plan's contract with AHCA, as determined by a review of the enrollee's medical/case records for quality, quantity, appropriateness and timeliness of services.~~

~~3.4.~~ Lack of access to services covered under the managed care plan's contract with AHCA, including lack of access to medically-necessary specialty services, and access to the services is available through a provider in the network of the managed care plan requested by the enrollee.

~~5. The managed care plan changes the enrollee's PCP three or more times to a new PCP at a different service location.~~

~~4. 6.~~ There is a lack of access to managed care plan providers experienced in dealing with the enrollee's health care needs, and experienced providers are available in the network of the managed care plan requested by the enrollee.

~~5.7-~~ The enrollee experienced an unreasonable delay or denial of service pursuant to ~~§~~Section 409.969(2), F.S., ~~or the enrollee's service was not provided within the timely access standards established in the managed care plan's contract with AHCA.~~

~~8. The enrollee experienced a change in their residential or institutional provider because the long term care managed care plan changed the status of the enrollee's provider from an in-network to an out-of-network provider.~~

(4) The Agency for Health Care Administration, or its designee, will review any relevant documentation submitted by the enrollee or the managed care plan regarding the disenrollment request and make a final determination ~~determinations~~ about whether to grant the granting disenrollment request. ~~requests~~ The Agency for Health Care Administration ~~and~~ will send written correspondence to the enrollee of any disenrollment decision. Enrollees dissatisfied with AHCA's determination may request a Florida Medicaid fair hearing, pursuant to 42 CFR Part 431, Subpart E. Rulemaking Authority 409.961 FS. Law Implemented 409.969 FS. History—New 2-26-09, Amended 11-8-16, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Margaret Dorceus
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2018

**DEPARTMENT OF HEALTH
Board of Medicine**

RULE NO.: 64B8-8.017
RULE TITLE: Citation Authority
PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth an additional violation which is appropriate for the issuance of a citation.
SUMMARY: The proposed rule amendment sets forth a first and second time citation for the failure of the designated physician of a pain management clinic to notify the Board within 10 days of terminating his or her employment with the pain management clinic; or the failure of any physician practicing in a pain management clinic to notify the Board of his or her beginning or ending practice at a pain management clinic.

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

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

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

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

RULEMAKING AUTHORITY: 456.077, 458.309 FS.
LAW IMPLEMENTED: 456.072(2)(d), 456.077 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.017 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (w) No change.	
<u>(x) Failure of the designated physician of a pain management clinic to notify</u>	<u>First time Citation - \$250 and submission of required notification within 10 days.</u>

the Board within 10 days of terminating his or her employment with the pain management clinic; or failure of any physician practicing in a pain management clinic to notify the Board of his or her beginning or ending practice at a pain management clinic, as required by Section 458.3265(2)(e), F.S. (458.331(1)(pp)9., F.S.)

(4) through (5) No change.

Rulemaking Authority 456.077, 458.309 FS. Law Implemented 456.072(2)(d), 456.077 FS. History--New 12-30-91, Formerly 21M-20.017, Amended 11-4-93, Formerly 61F6-20.017, Amended 8-23-95, Formerly 59R-8.017, Amended 4-7-99, 1-27-00, 1-31-02, 1-12-03, 7-27-04, 2-7-05, 1-4-06, 7-3-06, 1-16-08, 12-22-09, 7-9-12, 7-6-15, 11-9-16, 8-28-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 22, 2018

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER18-45
RULE TITLE: Bonus Cash Fridays Promotion
SUMMARY: This emergency rule describes the Bonus Cash Fridays Promotion that will occur on each Friday in September 2018.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: THE FULL TEXT OF THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER18-45 Bonus Cash Fridays Promotion.

(1) Beginning on Friday, September 7, 2018, and thereafter on each Friday through September 28, 2018, the Florida Lottery will conduct the Bonus Cash Fridays Promotion (“Promotion”) to promote the Draw game (also known as an online game), FANTASY 5®. For each Friday drawing during the Promotion, the percentage of net sales of FANTASY 5 tickets in the corresponding FANTASY 5 sales period for payment of FANTASY 5 top prizes, second prizes and third prizes shall be increased by a bonus twenty-five percent (25%) over the standard fifty percent (50%) set forth in paragraph (3)(a) of Emergency Rule 53ER14-20, F.A.C., FANTASY 5®, for a total of seventy-five percent (75%) of the net sales allocated for the winning prize pool.

(2) FANTASY 5 fourth prizes and FANTASY 5 EZmatch™ prizes are not increased or otherwise impacted by the Promotion.

(3) The top prize, second prize and third prize pools shall be distributed in accordance with paragraphs (3)(b),(c) and (d) of Emergency Rule 53ER14-20, F.A.C., FANTASY 5®. Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History-New 9-5-18.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: September 5, 2018.

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning
RULE NO.: 6M-4.620
RULE TITLE: Health and Safety Checklists and Inspections
NOTICE IS HEREBY GIVEN that on or about September 4, 2018, the Office of Early Learning received a petition for permanent waiver from Parks and Recreation Superintendent of the City of St. Petersburg, an after-school provider located in St. Petersburg, Florida. Petitioner seeks a permanent waiver from the requirements of subsection (2)(b) of Rule 6M-4.620, F.A.C., as it relates to the requirements for personnel staff training set forth with group size, section 4, as established in Form OEL-SR-6202, School Readiness Program Health and Safety Standards Handbook, incorporated by reference in said subsection. The Office will accept comments concerning the Petition for fourteen (14) days from the date of publication of this notice. To be considered, comments must be received

before 5:00 p.m. EST. Comments may be sent to Agency Clerk, Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Margaret O'Sullivan Parker, General Counsel, Office of Early Learning, 250 Marriott Drive, Tallahassee, Florida 32399, Maggi.Parker@oel.myflorida.com.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing hereby gives notice: that the Petition filed by Debra Louise Moore, on February 28, 2018, seeking a variance of paragraph 64B9-3.002(1)(c), F.A.C., has been withdrawn. The Notice of Petition was published in Vol. 44 No. 47 of the March 08, 2018, issue of the Florida Administrative Register. Petitioner obtained the Practical Nurse Equivalence (PNEQ) application letter and the variance and waiver is no longer necessary.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

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

DATE AND TIME: September 13, 2018, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: September 13, 2018, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: September 18, 2018, 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

DATE AND TIME: September 19, 2018, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: September 20, 2018, 9:30 a.m.

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

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

DATE AND TIME: September 28, 2018, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 3rd quarterly meeting of the Florida Commission on the Status of Women.

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

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

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

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

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

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: 20180133-EI - Petition for limited proceeding to approve second solar base rate adjustment (SoBRA), effective January 1, 2019, by Tampa Electric Company.

PREHEARING CONFERENCE DATE AND TIME: Wednesday, September 26, 2018, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:

The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING DATE AND TIME: Thursday, October 11, 2018, immediately following Internal Affairs.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to the Commission’s evaluation of Tampa Electric’s 2017 Amended and Restated Stipulation and Settlement Agreement that included a Solar Base Rate Adjustment mechanism which provides for the recovery of costs associated with solar projects that meet the criteria laid out in the 2017 Settlement Agreement. The Commission will conduct a Limited Proceeding to approve second Solar Base Rate Adjustment and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Thursday, September 20, 2018, 10:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, 2727 Mahan Dr., Building 3, Conference Room D, Tallahassee, FL 32308 or GoToWebinar at: <https://attendee.gotowebinar.com/register/919352642337216258>; dial-in number provided at registration

GENERAL SUBJECT MATTER TO BE CONSIDERED: The HIECC will meet to assess the current state of the HIE, as well as future changes.

A copy of the agenda may be obtained by contacting: Dana Watson at: (850)412-3784 or dana.watson@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Dana Watson at: (850)412-3784 or dana.watson@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dana Watson at: (850)412-3784 or dana.watson@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NOS.:RULE TITLES:

59C-1.032 Pediatric Cardiac Catheterization and Angioplasty Institutional Health Services

59C-1.033 Pediatric Open Heart Surgery Program

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

DATE AND TIME: Thursday, September 20, 2018, 5:30 p.m. – 6:30 p.m., ET

PLACE: This meeting is online via webinar and requires a telephone for audio. To join the webinar, please use the following link and webinar ID: <https://attendee.gotowebinar.com/register/5070137678901594627> United States (Toll-free): 1(877)309-2071, Access Code: 476-332-464. If you have any difficulty accessing the teleconference, please call the Florida Center’s main number at (850)412-3730.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Public Reporting & Transparency Subcommittee of the Pediatric Cardiology Technical Advisory Panel (PCTAP) to which all interested parties are invited. The purpose of this meeting is to discuss the Public Reporting & Transparency component of the PCTAP.

A copy of the agenda may be obtained by contacting: The agenda will be posted on the Agency website seven (7) days prior to the meeting: <http://ahca.myflorida.com/SCHS/PCTAP/meetings.shtml>.

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: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750. 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: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2018, 7:00 p.m.

PLACE: Osceola Board of County Commissioner Chambers, 1st Court House Square #4700, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Herky Huffman/Bull Creek Wildlife Management Area (HHBCWMA).

This hearing is being held EXCLUSIVELY for discussion of the DRAFT Herky Huffman/Bull Creek WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development visit our Proposed Rule Changes page.

A copy of the agenda may be obtained by contacting: Dylan Imlah, (850)487-9102, Dylan.Imlah@myfwc.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 14 days before the workshop/meeting by contacting: Dylan Imlah, (850)487-9102, Dylan.Imlah@myfwc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diana Kilgore, (850)487-7063, Diana.Kilgore@myfwc.com.

GULF CONSORTIUM

The Gulf Consortium Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2018, 4:30 p.m. (ET)

PLACE: United States: 1(669)224-3217, Access Code: 865-760-109#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will conduct a Board of Directors preview meeting, consisting of a planning

grant update; status of work orders under the State Expenditure Plan; and other business at the discretion of the Executive Committee. The location of the conference call is The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789.

A copy of the agenda may be obtained by contacting: Craig Diamond at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Craig Diamond at (407)629-2185 or Gulf.Consortium@balmoralgroup.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Craig Diamond at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

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

DATE AND TIME: September 20, 2018, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Florida Commission on Access to Civil Justice Process Simplification Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday September 21, 2018, 12:00 Noon – 1:00 p.m., Eastern time.

PLACE: Conference Call, Phone Number: 1(888)376-5050, Pin Number: 2311661132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Process Simplification Committee will be discussing the Commission's long range plan as it relates to the Committee's specific charges.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

SCALAR CONSULTING GROUP INC.

The Florida Department of Transportation (FDOT), District 5 announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2018, 1:30 p.m. – 3:30 p.m.

PLACE: Piggotte Community Center – Reception Hall, 504 Big Tree Road, South Daytona, FL 32119

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 439865-1-22-01.

Study Description: St. Johns River to Sea (SJR2C) Loop, Project Development and Environment (PD&E) Study.

The Florida Department of Transportation (FDOT) is holding a community advisory group (CAG) meeting for the St. Johns River to Sea (SJR2C) Loop PD&E Study. We will discuss the trail alternative for U.S. 1 or alternative route from State Road 44 (Lytle Avenue) to Beville Road, approximately 18 miles. This meeting provides interested persons an opportunity to express their views concerning the social, economic and environmental impacts of the proposed trail alternatives.

The meeting will be held Thursday, September 13 at the Piggotte Community Center – Reception Hall, located at 504 Big Tree Road in South Daytona. It will be held from 1:30 p.m. – 3:30 p.m. Attendees may review study information presented, and discuss the trail alternatives with the study team. Information presented at this meeting will also be available on the study website, CFLRoads.com (search by number 439865-1), by September 23, 2018.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator by email at Jennifer.Smith2@dot.state.fl.us.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. 327 and a Memorandum of

Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Heather Grubert, P.E. at (386)943-5540 or by e-mail at heather.grubert@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Heather Grubert, P.E., FDOT Project Manager, at 719 S. Woodland Blvd., MS 501, DeLand, FL 32720, by phone at (386)943-5540 or by email to heather.grubert@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Heather Grubert, P.E. the FDOT PD&E Project Manager, at (386)943-5540 or e-mail at heather.grubert@dot.state.fl.us.

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

DEPARTMENT OF HEALTH

Division of Environmental Health

NOTICE IS HEREBY GIVEN that the Florida Department of Health has declined to rule on the petition for declaratory statement filed by G.B. Collins Engineering, P.A. on April 04, 2018. The following is a summary of the agency’s declination of the petition:

The Department of Health does not have jurisdiction to issue a declaratory statement as to the applicability of Section 464.1.6.1.1, Florida Building Code, 6th Edition (2017) (Building Code), to the existing projects described in the Petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lori L Jobe, Senior Attorney, Office of the General Counsel, 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399-1703, Lori.job@flhealth.gov, (850)245-4005.

**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:

FLORIDA SENIOR LIVING Case No. 18-2212RP
ASSOCIATION, INC.,
Petitioner,
vs.
DEPARTMENT OF ELDER AFFAIRS,
Respondent.

FLORIDA ASSISTED LIVING Case No. 18-2228RP
ASSOCIATION, INC.,
Petitioner,
vs.
DEPARTMENT OF ELDER AFFAIRS,
Respondent.

FLORIDA SENIOR LIVING Case No. 18-2340RX
ASSOCIATION, INC.,
Petitioner,
vs.
DEPARTMENT OF ELDER AFFAIRS,
Respondent.

RULE NO.: 58A-5.0131, 58A-5.0181, 58A-5.0182, 58A-5.0185, 58A-5.0191, 58A-5.024, 58A-5.031;
ORDERED that:

- 1. The challenged amendments, as detailed in the Findings of Fact, to the following rules are declared invalid exercises of delegated legislative authority: sub subparagraph 58A-5.024(1)(p)1.a., paragraph 58A-5.024(3)(c), paragraph 58A-5.031(2)(d), subsection 58A-5.0131(41), paragraph 58A-5.0182(8)(a), subparagraph 58A-5.0182(8)(a)1., and, as incorporated by paragraph 58A-5.0181(2)(b), Form 1823, section 1 as to the question 56 about elopement risk, section 1.A, section 1.C as to the question about posing a danger to self or others, section 1.D, section 2-A.A, section 2-A.B, section 3, and the signature lines for the patient and the ALF.
- 2. Any and all challenges to amendments, as detailed in the Findings of Fact, to the following rules are dismissed: paragraphs 58A-5.0185(3)(g), 58A-5.0191(3)(a), and subsection 58A-5.019(3).

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

FLORIDA HORSEMEN'S BENEVOLENT AND
PROTECTIVE ASSOCIATION, INC., A FLORIDA
NONPROFIT CORPORATION,
Petitioner, vs. DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION, DIVISION OF PARI-
MUTUEL WAGERING,
Respondent,
and
CALDER RACE COURSE, INC.,
Intervenor.;
CASE NO.: Case No. 17-5872RU; RULE NO.: Dismissed

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

GILBANE BUILDING COMPANY
UNF Science & Engineering Building 50 Renovation
Gilbane Building Company in contract with the University of North Florida to perform construction management services for the UNF Science & Engineering Building Renovation Project invite Trade Contractors and Venders to become pre-qualified for the construction of the renovation project. This work will generally include, but may not be limited to, Demolition, Misc. Metals, Doors/Frames/Hardware, Framing and Drywall, Acoustical Ceilings, Flooring, Painting, Fire Sprinkler, Plumbing, HVAC, and Electrical. A bid date is scheduled for Thursday, 9/27/2018 by 2:00 p.m., and a Pre-Bid Meeting for 8:00 a.m., Monday, 9/17/2018 at Building 50 is scheduled for Trade Contractors to become more familiar with the existing conditions. Minority, Women Owned, Small, and Veteran Owned businesses are encouraged to participate. Contact Ryan Snow at Gilbane Building Company via phone at (904)900-6348 or email at rsnow@gilbaneco.com for more information.

**Section XII
Miscellaneous**

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

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., Thursday, August 30, 2018 and 3:00 p.m., Wednesday, September 5, 2018.

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.

Rule No.	File Date	Effective Date
19B-18.003	9/4/2018	9/24/2018
53ER18-45	9/5/2018	9/5/2018
59C-1.005	9/4/2018	9/24/2018
59G-1.100	9/4/2018	9/24/2018
59G-4.060	9/4/2018	9/24/2018
59G-4.322	9/4/2018	9/24/2018
59G-7.0211	9/4/2018	9/24/2018
62-621.300	8/31/2018	9/20/2018
64-4.001	8/30/2018	9/19/2018
69K-10.003	8/31/2018	9/20/2018
69V-40.002	9/5/2018	9/25/2018
69V-40.0312	9/5/2018	9/25/2018
69V-40.0313	9/5/2018	9/25/2018
69W-600.002	9/5/2018	9/25/2018
69W-600.0022	9/5/2018	9/25/2018
69W-600.004	9/5/2018	9/25/2018
69W-600.005	9/5/2018	9/25/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****