

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:       RULE TITLE:  
64B8-51.006     Rule Governing Licensure and Inspection of  
                          Electrology Facilities

PURPOSE AND EFFECT: The proposed rule amendments are intended to update the applications.

SUBJECT AREA TO BE ADDRESSED: To update several applications.

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3), (11) FS.

LAW IMPLEMENTED: 456.037, 456.0635, 458.348(2), 478.43, 478.49, 478.51, 478.55 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Medicine Electrolysis Council, 4052 Bald Cypress Way, Bin # A04, 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 Athletic Training**

RULE NO.:       RULE TITLE:  
64B33-2.001     Licensure Requirements

PURPOSE AND EFFECT: The Board proposes a rule amendment to update the rule language to be consistent with statute and incorporates Form DOH-AT-001 with updated criminal and health history questions.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment updates licensure requirements under Chapter 468 Part XIII, F.S.

RULEMAKING AUTHORITY: 456.013(7), 468.705, 468.707, 468.709 FS.

LAW IMPLEMENTED: 456.013(7), 456.0135, 456.0635, 468.707, 468.709 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: Janet Hartman, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708.

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:       RULE TITLE:  
61G4-15.035     Certification of Irrigation Specialty  
                          Contractors

PURPOSE AND EFFECT: The Board proposes a rule amendment that will update the rule to comply with legislative changes regarding the certification of irrigation specialty contractors.

SUMMARY: The rule amendment updates the certification of irrigation specialty contractors.

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: 455.213, 489.108 FS.

LAW IMPLEMENTED: 489.105(3)(q), 489.113(6), 489.115, 489.116, 489.117, 489.118 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: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.035 Certification of Irrigation Specialty Contractors.

(1) through (2) No change.

(3) As an alternative to the experience required under Sections 489.111(2)(c)1.-3., F.S., an applicant for certification as an irrigation specialty contractor shall submit proof that the applicant meets the requirements of a certified irrigation specialty contractor under Section 489.111 by demonstrating:

a. Two years of experience in the installation or maintenance of landscape irrigation systems and two valid professional landscape and/or irrigation industry certifications offered by national or statewide irrigation trade associations/organizations; or.

b. Three years of experience in the installation or maintenance of landscape irrigation systems and one valid professional landscape and/or irrigation industry certification offered by national or statewide irrigation trade associations/organizations.

(4) Certification Procedures and Fees. Certification procedures and fees for Irrigation Specialty Contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111, 489.113, 489.114, 489.115 and 489.116, F.S., and related rules.

~~(5)~~(4) Irrigation systems used for agricultural purposes shall not be included within the scope of this rule.

(6) No later than 90 days prior to December 31, 2024, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2024.

Rulemaking Authority 455.213, 489.108 FS. Law Implemented 489.105(3)(q), 489.113(6), 489.115, 489.116, 489.117, 489.118 FS. History--New 2-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 29, 2020

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-6.0025  
 RULE TITLE: Approved Continuing Education Course for Supervisory Training

PURPOSE AND EFFECT: The proposed rule amendment is intended to update the rule language.

SUMMARY: To update rule 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, 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: 491.004(5), 491.007, 491.0085 FS.

LAW IMPLEMENTED: 491.007, 491.0085 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: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-6.0025 Approved Continuing Education Course for Supervisory Training.

The continuing education course required to meet the qualifications for a qualified supervisor pursuant to section 491.005, F.S., and subparagraph 64B4-11.007(3)(b)2., paragraph 64B4-21.007(3)(b), and subparagraph 64B4-31.007(2)(b)2., F.A.C., must be offered by a Board approved provider of continuing education and consist of the following:

- (1) No change.
- (2) It must be 12 clock hours of ~~in-person~~ didactic and interactional instruction which must be provided live and delivered in a manner and in such a way that monitors attendance, minimizes distractions, and allows for real-time interaction between the instructor and the attendee; and,
- (3) through (4) No change.

Rulemaking Authority 491.004(5), 491.007, 491.0085 FS. Law Implemented 491.007, 491.0085 FS. History—New 12-29-96, Formerly 59P-6.0025, Amended 12-11-97, 8-13-08, 5-8-16, 11-7-16, 3-18-19, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 7, 2020

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-27.4001 RULE TITLE: Delegation to and Supervision of Pharmacy Technicians; Responsibility of Supervising Pharmacist

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding the supervising pharmacists' duties for supervising of pharmacy technicians.

SUMMARY: Language will be clarified regarding supervision of pharmacy technicians.

**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, 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: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.014 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: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.4001 Delegation to and Supervision of Pharmacy Technicians; Responsibility of Supervising Pharmacist.

- (1) No change.
- (2) Supervision: Delegated tasks must be performed under the direct supervision of a pharmacist who shall make certain all applicable state and federal laws, including, but not limited to confidentiality, are fully observed, and pursuant to the following definitions and requirements: The supervising pharmacist, in consultation with the Prescription Department Manager or Consultant Pharmacist of Record, will determine the appropriate methods of supervision based on the following definitions and requirements. No other person, permittee, or licensee shall interfere with the exercise of the supervising

pharmacist’s independent professional judgment in determining the supervision of delegated tasks.

(a) through (b) No change.

Rulemaking Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.014 FS. History–New 12-31-14, Amended 12-17-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2020  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2020

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:  
64B16-30.001 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language due to statutory changes.

SUMMARY: Language will be clarified due to statutory changes.

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, 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: 456.47(4), 456.47(7), 456.072, 456.079, 465.005 FS.

LAW IMPLEMENTED: 456.047(4), 456.072, 456.079, 465.016, 465.023 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: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 64B16-30.001, F.A.C. follows: See Florida Administrative Code for present text.

64B16-30.001 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating chapters 456, 465, 499, or 893 or section 828.055, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of chapters 456, 465, 499, 893 or section 828.055, F.S. The term license means any permit, registration, certificate, out-of-state telehealth provider registration, or license, including a provisional license, issued by the Department. Penalty ranges are shown as minimum and maximum guidelines as well as for first time single count violations and for multiple or repeated violations of the same statutory provision or the rules promulgated thereunder. All penalties at the upper range of the sanctions set forth in the guidelines, e.g., suspension, revocation, etc., include lesser penalties, e.g., fine, continuing education, probation, or reprimand, which may be included in the final penalty at the board’s discretion. Probation may be subject to conditions, including restriction from practice in certain settings, restricting the licensee to working only under designated conditions or in certain settings, requiring continuing or remedial education, or any other restriction found to be necessary for the protection of the public health, safety, and welfare. The range of disciplinary action for registered out-of-state telehealth providers shall be, in ascending order of severity, reprimand, suspension, and revocation. For telehealth registrants, a suspension may be accompanied by a corrective action plan that includes rehabilitative provisions narrowly tailored to address the conduct which resulted in the underlying disciplinary violations. The Board may require a corrective action plan to be completed prior to reinstatement of the suspended registration or the corrective action plan may follow a suspension for a definite term. In addition to any other discipline imposed under these guidelines, the board shall assess costs relating to the investigation and prosecution of the case.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees and permittees for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated, and the full statute or rule cited should be consulted to determine the prohibited conduct.

VIOLATION	PENALTY RANGE		OUT-OF-STATE TELEHEALTH PROVIDER PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) Obtaining a license or permit by misrepresentation, fraud, or error. (Section 465.016(1)(a), F.S.); and (Section 465.023(1)(a), F.S.)				
1. By misrepresentation on original application or renewal.	MIN: \$1,000 fine, a 12-hour Laws and Rules course or Multistate Pharmacy Jurisprudence Exam ("MPJE") and a 3-hour ethics course; MAX: \$5,000 fine and Revocation.	MIN: Revocation; MAX: Revocation and \$10,000 fine.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws and Rules course or MPJE and 3-hour ethics course; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
2. By fraudulent misrepresentation on original application or renewal.	MIN: Revocation; MAX: \$10,000 fine for each count and Revocation.	MIN: Revocation; MAX: \$10,000 fine for each count and Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
3. By error of the Department or Board on original application or renewal.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
(b) Procuring or attempting to procure a license or permit for another person by false representation. (Section 465.016(1)(b), F.S.); and (Section 465.023(1)(b), F.S.)	MIN: Revocation; MAX: \$10,000 fine for each count and Revocation.	MIN: Revocation; MAX: \$10,000 fine for each count and Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
(c) Permitting any unlicensed persons or unsupervised registered interns to fill, compound, or dispense any prescriptions. (Section 465.016(1)(c), F.S.)	MIN: \$2,500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.

(d) Being unfit or incompetent to practice pharmacy by reason of habitual intoxication, medicinal drug abuse, or physical or mental condition that threatens public safety. (Sections 465.016(1)(d), and (m), F.S.)	MIN: Suspension until licensee is able to demonstrate the ability to practice with reasonable skill and safety; MAX: Revocation.	MIN: Suspension until licensee is able to demonstrate the ability to practice with reasonable skill and safety followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan, including, at a minimum, that the provider is able to demonstrate the ability to practice with reasonable skill and safety; MAX: Revocation.	MIN: Suspension and a corrective action plan, including, at a minimum, that the provider is able to demonstrate the ability to practice with reasonable skill and safety; MAX: Revocation.
(e) Violating laws governing the practice of pharmacy. (Section 465.016(1)(e), F.S.); (Section 465.023(1)(c), F.S.)				
1. Chapter 465, F.S.:				
a. Failure to properly supervise pharmacy technician. (Section 465.014, F.S.)	MIN: \$250 fine, one (1) year suspension and 12-hour Laws and Rules course or MPJE; MAX: \$1,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$1,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
b. Operating a pharmacy that is not registered. (Section 465.015(1)(a), F.S.)	MIN: \$500 fine per month (up to \$5,000 fine), and permittee must renew permit, obtain new permit, or cease operation; MAX: Revocation.	MIN: Revocation; MAX: \$10,000 fine, revocation, and, if appropriate, referral to State Attorney's Office for criminal prosecution.	MIN: Reprimand; MAX: Revocation.	MIN: Revocation; MAX: Revocation and, if appropriate, referral for criminal prosecution.
c. Operating a pharmacy where an unlicensed, or unregistered, or unsupervised person practices pharmacy. (Section 465.015(1)(b), F.S.)	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: \$10,000 fine, one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
d. Making a false or fraudulent statement to the board. (Section 465.015(2)(a), F.S.)	MIN: \$10,000 fine; MAX: Revocation.	MIN: Revocation; MAX: \$10,000 fine and revocation.	MIN: Reprimand; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
e. Filling or compounding, or dispensing medicinal drugs, without an active license.	MIN: \$500 fine per month while inactive (up to \$6,000); MAX: Revocation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation;	MIN: Reprimand; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.

(Section 465.015(2)(b), F.S.)		MAX: Revocation.		
f. Selling or dispensing drugs without a prescription. (Section 465.015(2)(c), F.S.)				
(I) Non-scheduled legend drugs.	MIN: \$1,500 fine; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(II) Scheduled (controlled substances) legend drugs.	MIN: \$5,000 fine; MAX: Revocation.	MIN: \$10,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: Revocation.
g. Selling samples or complimentary drugs. (Section 465.015(2)(d), F.S.)				
(I) Non-scheduled legend drugs.	MIN: \$1,500 fine and (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(II) Scheduled (controlled substances) legend drugs.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
h. Failure to notify the board of, or failure to have, a prescription department manager or a supervising, a responsible, or a consultant pharmacist. (Sections 465.0157, 465.018, .019, .0193, .0196, or .0197, F.S. and Sections 465.022(10), or (11), F.S.)				
(I) Failure to notify of change. (Section 465.022(10), or (11), F.S.)	MIN: \$500 fine each month licensee fails to notify the Board (maximum \$5,000); MAX: One (1) year of probation and \$7,500 fine.	MIN: \$500 fine each month licensee fails to notify the Board (maximum \$7,500) and one (1) year suspension; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(II) Failure to have prescription department manager or a supervising, a responsible, or a consultant	MIN: \$750 fine per month practicing without a prescription department manager	MIN: \$2,000 fine per month practicing without a prescription department manager	MIN: Reprimand; MAX: One (1) year suspension and a	MIN: Reprimand; MAX: Revocation.

pharmacist of record.	(maximum of \$6,000); MAX: One (1) year suspension and a fine of \$7,500.	(maximum of \$10,000); MAX: Revocation.	corrective action plan.	
i. Failure to comply with substitution of legend drug requirements. (Sections 465.025(2), (3), and (4), F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$2,200 fine and one (1) year of probation.	MIN: \$2,500 fine, 12-hour Laws & Rules course or MPJE, and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: Revocation.
j. Failure to follow negative formulary requirements. (Section 465.025(6), F.S.); (Rule 64B16-27.500, F.A.C.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$2,500 fine and one (1) year of probation.	MIN: \$2,500 fine, 12-hour Laws & Rules course or MPJE, and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: Revocation.
k. Failure to follow emergency prescription requirements. (Section 465.0275, F.S.)	MIN: \$500 fine; MAX: \$2,500 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
l. Engage in prohibited rebate scheme. (Section 465.185, F.S.)	MIN: \$1,500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine, 12-hour Laws & Rules course or MPJE, and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: Revocation.
m. Failure to comply with pharmacist dispensing requirements. (Section 465.186, F.S.)				

(I) Failure to follow procedure, but dispense drug appearing on formulary. (Section 465.186(3), F.S.); (Rule 64B16-27.210, F.A.C.)	MIN: \$500 fine; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: Suspension of right to dispense.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
(II) Dispensing drug not on the formulary. (Section 465.186(2), F.S.); (Rules 64B16-27.220, .230, F.A.C.)	MIN: \$1,500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
n. Failure to timely report fraudulent obtaining or attempted obtaining of controlled substances from a pharmacy. (Section 465.015(3), F.S.)				
(I) Failure to timely report.	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(II) Failure to report.	MIN: \$1,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
o. Violation of facsimile prescription requirements. (Section 465.035, F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year	MIN: Suspension and a corrective action plan; MAX: Revocation.

				suspension and a corrective action plan as outlined above.
p. Violation of requirements for administration of vaccines and epinephrine auto injection. (Section 465.189, F.S.); and (Section 465.009(6)(a), F.S.)				
(I) Administration with failure to enter into a written protocol.	MIN: \$2,500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(II) Administration with failure to maintain proper insurance.	MIN: \$500 fine and suspension until insured; MAX: \$1,000 fine and suspension until insured followed by one (1) year probation.	MIN: \$1,000 fine and suspension until insured, followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, becoming insured; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, becoming insured; MAX: Revocation.
(III) Administration with failure to maintain and make available patient records.	MIN: \$500 fine; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(IV) Uncertified administration of vaccine.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$7,500 fine and one (1) year suspension of license.	MIN: \$7,500 fine and suspension of license until receipt of immunization certification; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(V) Failure to submit copy of protocol or written agreement to the board.	MIN: \$500 fine; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
q. Failure to request photo or other verification of identity prior to dispensing a controlled	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE;	MIN: \$1,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a	MIN: Suspension and a corrective action plan; MAX: Revocation.

substance to a person not known. (Section 465.0155(2), F.S.)	MAX: \$1,000 fine and one (1) year of probation.		minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	
r. Failure to inform customers of less expensive drug when cost sharing obligation to customer exceeds retail price. (Section 465.0244(2), F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine; MAX: One (1) year suspension of dispensing rights.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, one (1) year suspension of dispensing rights; MAX: Revocation.
2. Chapter 499, F.S.:				
a. Adulteration or misbranding of a drug. (Sections 499.005(2), and (3) F.S.); (Section 499.006, F.S.); and (Section 499.007, F.S.)				
(I) Adulteration of a drug. (Section 499.005(2), F.S.); and (Section 499.006, F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(II) Receipt or delivery of any drug that is adulterated or misbranded. (Section 499.005(3), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.

(III) Incomplete or inaccurate labeling. (Section 499.007, F.S.); (Rule 64B16-28.108, F.A.C.)	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$2,500 and one (1) year of probation.	MIN: \$2,500 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(IV) Fraudulent misbranding of legend drugs. (Section 499.007, F.S.)	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Two (2) year suspension.	MIN: \$10,000 fine and two (2) year suspension followed by two (2) years of probation; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Two (2) year suspension and a corrective action plan.	MIN: Two (2) year suspension and a corrective action plan; MAX: Revocation.
b. Failure to obtain a permit or registration or operating without a valid permit when it is required. (Section 499.005(22), F.S.)	MIN: \$500 fine per month to a maximum of \$5,000 (penalty will require permittee to obtain permit, renew permit, or cease practice); MAX: \$10,000 fine and one (1) year of probation.	MIN: \$10,000 fine (penalty will require permittee to obtain permit, renew permit, or cease practice); MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, the provider to obtain permit, renew permit, or cease practicing; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan including, at a minimum, the provider to obtain permit, renew permit, or cease practicing; MAX: Revocation.
c. Prescription drug transaction violations. (Section 499.005(28), F.S.); and (Section 499.0051, F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
d. Recordkeeping requirement. (Section 499.0121, F.S.); and (Sections 499.005(18), and (19), F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and	MIN: Suspension and a corrective action plan; MAX: Revocation.

			Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	
e. Storage of drugs. (Section 499.0121, F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
3. Chapter 893, F.S. (Controlled Substances):				
a. Filing a written or oral prescription for controlled substances that does not meet the requirements of Chapter 893, F.S. (Sections 893.04(1)(a), (b), and (c), F.S.)	MIN: \$1,500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
b. Failing to retain prescription records for two (2) years. (Section 893.04(1)(d), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
c. Failing to appropriately label. (Section 893.04(1)(e), F.S.)	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$2,500 fine and one (1) year of probation.	MIN: \$2,500 fine and (1) year probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.

			Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	
d. Dispensing a Schedule II drug inappropriately with a non-written prescription. (Section 893.04(1)(f), F.S.)	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
e. Inappropriate refilling of Schedule III, IV, or V drugs. (Section 893.04(1)(g), F.S.); and (Section 893.04(2)(e), F.S.)	MIN: \$1,750 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: \$5,000 fine and one (1) year suspension; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and corrective action plan.	MIN: One (1) year suspension; MAX: Revocation.
f. Receiving controlled substances without an appropriate order form. (Section 893.06(1), F.S.)	MIN: \$2,500 fine; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
g. Possession of controlled substances outside the regular course of business, occupation, profession, employment, or duty. (Section 893.06(2), F.S.)	MIN: \$2,500 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
h. Failure to take a biennial inventory. (Sections 893.07(1)(a), (2), (3), (4), and (5), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$2,500 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
i. Failure to maintain a complete and accurate record of controlled substances. (Sections 893.07(1)(b), (2), (3), (4), and (5), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and two (2) years of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of a 12-hour Laws and Rules course or MPJE; MAX: One (1) year suspension	MIN: Suspension and a corrective action plan; MAX: Revocation.

			and _____ a corrective action plan as outlined above.	
j. Dispensing Schedule V controlled substances in other than good faith. (Section 893.08(3)(b), F.S.)	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
k. Inappropriate selling of Schedule V controlled substance. (Section 893.08(3)(c), F.S.)	MIN: \$1,500 fine and one (1) year of probation; MAX: Revocation.	MIN: \$5,000 fine and one (1) year suspension; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension; MAX: Revocation.
l. Unlawful possession of controlled substance. (Section 893.13, F.S.)	MIN: \$5,000 fine and two (2) years of probation; MAX: Revocation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
m. Failure to report information regarding dispensed controlled substances to the Prescription Drug Monitoring Program Controlled Substance Dispensing Information Electronic System. (Section 893.055(3), F.S.)	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and _____ a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
n. Failure to consult the Prescription Drug Monitoring Program Controlled Substance Dispensing Information Electronic System prior to dispensing a _____ controlled substance. (Section 893.055(8), F.S.)	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and _____ a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
o. Failure to maintain confidentiality of information obtained from the Prescription Drug Monitoring Program Controlled Substance Dispensing Information Electronic System. (Section 893.0551(6), F.S.)				

(I) _____ Knowing violation.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(II) _____ Negligent violation.	MIN: Reprimand; MAX: \$500 fine and 12-hour Laws & Rules course or MPJE.	MIN: \$1,000 fine and one (1) year of probation; MAX: \$2,500 fine and one (1) year suspension.	MIN: Reprimand; MAX: Suspension and _____ a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
4. Violation of Federal Drug Abuse Act 21 U.S.C. 821 et seq. (Manufacture, Distribution, and Dispensing of Controlled Substances.)	MIN: \$1,000 fine and one (1) year of probation; MAX: \$2,000 fine and one (1) year suspension.	MIN: \$2,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
5. Violation of Food and Drug Act 21 U.S.C. 301 – 392.	MIN: \$2,500 fine and one (1) year suspension; MAX: Revocation.	MIN: \$7,500 fine and two (2) year suspension followed by two (2) years of probation; MAX: Revocation.	MIN: One (1) year suspension; MAX: Revocation.	MIN: Two (2) year suspension and a corrective action plan; MAX: Revocation.
(f) _____ Criminal conviction related to Pharmacy. (Section 465.016(1)(f), F.S.)				
1. Misdemeanor.	MIN: \$1,000 fine; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and _____ a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
2. Felony.	MIN: \$5,000 fine and one (1) year suspension followed by two (2) years of probation; MAX: Revocation.	MIN: \$10,000 fine and two (2) year suspension followed by three (3) years of probation; MAX: Revocation.	MIN: One (1) year suspension and _____ a corrective action plan; MAX: Revocation.	MIN: Two (2) year suspension and a corrective action plan; MAX: Revocation.
(g) Using in the compounding of a prescription, or furnishing upon prescription, an ingredient or article different in any manner from the ingredient or article prescribed, except as authorized in Section 465.019(6), F.S. or Section 465.025, F.S. (Section 465.016(1)(g), F.S.); or, compounding, dispensing or distributing legend	MIN (without ingestion or harm): Reprimand, submission of an improvement action plan, and complete a Board approved eight (8) hour CE course directly related to the violation at issue; MIN: (with ingestion) \$500 fine, submission of an	MIN: (without ingestion or harm) \$500 fine, complete a Board approved eight (8) hour CE course directly related to the violation at issue, and two (2) years of probation; MIN (with ingestion or harm): \$1,000 fine complete a Board approved eight (8) hour CE course directly related to the violation	MIN: Suspension and _____ a corrective action plan including, at a minimum, complete a Board approved eight (8) hour CE course directly related to the violation at issue; MAX: One (1) year suspension and _____ a corrective	MIN: Suspension and a corrective action plan including, at a minimum, complete a Board approved eight (8) hour CE course directly related to the violation at issue; MAX: Revocation.

drugs outside professional practice of pharmacy. (Section 465.016(1)(i), F.S.)	improvement action plan, and complete a Board approved eight (8) hour CE course directly related to the violation at issue; MAX (with or without ingestion or harm): \$1,000 fine and one (1) year of probation.	at issue, and two (2) years of probation; MAX (with or without ingestion or harm): Revocation.	action plan as outlined above.	
(h) Filing a false report or failing to file a report required by law. (Section 465.016(1)(j), F.S.)				
1. Knowing violation.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
2. Negligent violation.	MIN: Reprimand; MAX: \$500 fine and 12-hour Laws & Rules course or MPJE.	MIN: \$1,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: Reprimand; MAX: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
(i) Failure to make prescription price information available. (Section 465.016(1)(k), F.S.)	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
(j) Improperly placing returned drugs into the stock of a pharmacy. (Section 465.016(1)(l), F.S.)	MIN: \$1,000 fine; MAX: \$1,500 fine and one (1) year of probation.	MIN: \$3,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
(k) Violating a rule or order of the Board or Department. (Section 465.016(1)(n), F.S.)				
1. Rules of Board of Pharmacy.				

a. Rules 64B16-28.101 to 64B16-28.1035, F.A.C. Rule 64B16-27.100, F.A.C. Rule 64B16-28.109, F.A.C. Rule 64B16-27.103, F.A.C. Rule 64B16-27.104, F.A.C. Rule 64B16-26.400, F.A.C. Rule 64B16-26.2032 F.A.C. Rule 64B16-28.1081, F.A.C. Rule 64B16-27.105, F.A.C. Rule 64B16-27.211, F.A.C. Rule 64B16-28.113, F.A.C. Rule 64B16-28.2021, F.A.C. Rule 64B16-28.603, F.A.C.	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$2,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.
b. Sink and running water, sufficient space, refrigeration, sanitation, equipment. (Rule 64B16-28.102, F.A.C.)	MIN: Suspension until compliance; MAX: \$2,000 fine and suspension until compliance.	MIN: \$2,000 fine and suspension until compliance; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, compliance; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, compliance; MAX: Revocation.
c. Knowingly purchase, sell, possess, or distribute counterfeit drugs. (Section 499.005(8), F.S.)	MIN: \$5,000 fine, and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: \$10,000 fine and one (1) year of probation; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
d. Failure to remove outdated pharmaceuticals from active stock or dispensing of same. (Rule 64B16-28.110, F.A.C.)	MIN: \$500 fine for failure to remove, \$1,000 fine for dispensing; MAX: \$2,500 fine, and one (1) year probation.	Min: \$2,500 fine for failure to remove, \$5,000 fine for dispensing, and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
e. Violation of destruction of controlled substances. (Rules 64B16-28.301 and .303 F.A.C.)	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
f. Serving as consultant pharmacist without being licensed as a	MIN: \$500 fine per month up to \$5,000 fine (fine based	MIN: \$500 fine per month up to \$7,500 fine (fine based	MIN: Reprimand; MAX: Suspension	MIN: One (1) year suspension and a corrective action plan;

consultant pharmacist. (Rule 64B16-26.300, F.A.C.)	upon the length of time the person is serving as a consultant without being licensed as a consultant pharmacist); MAX: \$500 fine per month up to \$7,500 fine (fine based upon the length of time the person is serving as a consultant without being licensed as a consultant pharmacist) and one (1) year of probation.	upon the length of time the person is serving as a consultant pharmacist) and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	and _____ a corrective action plan.	MAX: Revocation.
g. Violation of requirements for records maintained in a data processing system. (Rule 64B16-28.140, F.A.C.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE and 8-hour CE course in record keeping; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE and 8-hours CE course in record keeping; MAX: One (1) year suspension and _____ a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
h. Failure to properly store legend drugs. (Rule 64B16-28.120, F.A.C.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and _____ a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
i. _____ Practicing nuclear pharmacy without being licensed as a nuclear pharmacist. (Rule 64B16-26.303, F.A.C.)	MIN: \$500 fine per month up to \$5,000 fine (fine based upon the length of time the person is practicing without being licensed as a nuclear pharmacist); MAX: \$500 fine per month up to \$10,000 fine (fine based upon the length of time	MIN: \$500 fine per month up to \$10,000 fine. (fine based upon the length of time the person is practicing without being licensed as a nuclear pharmacist) and one (1) year suspension; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and _____ a corrective action plan.	MIN: One (1) year suspension; MAX: Revocation.

	the person is practicing without being licensed as a nuclear pharmacist) and one-year of probation.			
j. Failure to follow technical requirements for nuclear pharmacy. (Rules 64B16-28.901 and .902, F.A.C.)	MIN: \$1,000 fine, and one (1) year of probation; MAX: \$2,500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
k. Failure to properly transfer prescription files and medicinal drugs when closing pharmacy. (Rules 64B16-28.202 and .203, F.A.C.)	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation	MIN: Revocation; MAX: Revocation.
l. Failure to complete _____ the required continuing education during the biennial licensure period. (Rule 64B16-26.103, F.A.C.)				
(I) Failure to complete less than ten (10) hours.	MIN: \$500 fine and suspension until completed.; MAX: \$1,500 fine and suspension until completed.	MIN: \$1,500 fine and suspension until completed; MAX: \$3,000 fine and suspension until completed.	N/A	N/A
(II) Failure to complete ten (10) or more hours.	MIN: \$1,000 fine, take two (2) additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium; MAX: \$2,500 fine and two (2) additional hours of continuing education per missing hour as outlined above.	MIN: \$2,500 fine, suspension until deficiency and penalty units are completed, and take two (2) additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium; MAX: \$5,000 fine, suspension until deficiency and penalty units are completed and two (2) additional hours of continuing education per missing hour as outlined above.	N/A	N/A
m. Failure to practice in accordance with established practice standards.				

(Rules 64B16-27.1001 and .104, F.A.C.)				
(I) Pharmacist.	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(II) Pharmacy Intern.	MIN: \$250 fine and 12-hour Laws & Rules course or MPJE; MAX: \$500 fine and one (1) year of probation.	MIN: \$1,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$5,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension with a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(III) Permittee.	MIN: \$500 fine and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension with a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
n. Failure to have or maintain current policies and procedures for automated pharmacy system or central fill pharmacy. (Rules 64B16-28.141 and .450, F.A.C.)	MIN: \$500 and 12-hour Laws & Rules course or MPJE; MAX: \$1,000 fine and suspension of license/permit until current policies and procedures are in place.	MIN: \$2,500 fine and suspension of license/permit until current policies and procedures are in place; MAX: \$5,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension with a corrective action plan including, at a minimum, current policies and procedures are in place.	MIN: Suspension and a corrective action plan including, at a minimum, current policies and procedures are in place; MAX: Revocation.

o. Failure to have or maintain standards for an institutional pharmacy. (Rules 64B16-28.602, .601, .605, .606, .702, F.A.C.)	MIN: \$500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$2,500 fine and suspension of license/permit until current policies and procedures are in place.	MIN: \$2,500 fine and suspension of license until policies and procedures are in place; MAX: \$5,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension with a corrective action plan including, at a minimum, current policies and procedures are in place.	MIN: Suspension and a corrective action plan including, at a minimum, current policies and procedures are in place; MAX: Revocation.
p. Failure to have or maintain standards for a special pharmacy. (Rules 64B16-28.800, .810, .820, .850, .860, .870, F.A.C.)	MIN: \$500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$2,500 fine and suspension of license/permit until current policies and procedures are in place.	MIN: \$2,500 fine and suspension of license until policies and procedures are in place; MAX: \$5,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension with a corrective action plan including, at a minimum, current policies and procedures are in place.	MIN: Suspension and a corrective action plan including, at a minimum, current policies and procedures are in place; MAX: Revocation.
q. Failure to maintain standards for animal control shelters. (Rule Chapter 64B16-29, F.A.C.)	MIN: \$500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$2,500 fine and suspension of license/permit until current policies and procedures are in place.	MIN: \$2,500 fine and suspension of license until policies and procedures are in place; MAX: \$5,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension with a corrective action plan including, at a minimum, current policies and procedures are in place.	MIN: Suspension and a corrective action plan including, at a minimum, current policies and procedures are in place; MAX: Revocation.
r. Failure to comply with Board's rule on patient counseling. (Rules 64B16-27.800, .810, .820, F.A.C.)	MIN: (without ingestion or harm): \$250 fine and complete approved CE course in the prevention of medication errors of no less than eight (8) hours; MIN: (with ingestion) \$500 fine and complete	MIN: (without ingestion or harm) \$500 fine and complete approved CE course in the prevention of medication errors of no less than eight (8) hours; MIN: (with ingestion) \$1,000 fine and complete approved CE	MIN: Suspension and a corrective action plan including, at a minimum, completion of an approved CE course in the prevention of medication errors of no less than eight (8) hours;	MIN: Suspension and a corrective action plan including, at a minimum, completion of an approved CE course in the prevention of medication errors of no less than eight (8) hours; MAX: Revocation.

	approved CE course in the prevention of medication errors of no less than eight (8) hours; MAX: (with or without ingestion or harm); \$1,000 fine and (1) year of probation.	course in the prevention of medication errors of no less than eight (8) hours, and one (1) year of probation; MAX: (with or without ingestion or harm); Revocation.	MAX: One (1) year suspension with a corrective action plan as outlined above.	
s. Standards of practice for compounding CSPs. (Rules 64B16-27.700 and .797, F.A.C.)				
(I) No harm.	MIN: \$500 fine, 12-hour Laws & Rules course, and course governing sterile compounds; MAX: \$2,000 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course, and course governing sterile compounds; MAX: One (1) year suspension with a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(II) Harm.	MIN: \$2,000 fine, one (1) year of probation, course governing sterile compounds and 12-hour Laws & Rules course; MAX: Revocation.	MIN: Revocation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course and course governing sterile compounds; MAX: Revocation	MIN: Revocation; MAX: Revocation
2. Violation of an order of the Board or Department previously entered in a disciplinary hearing.	MIN: \$2,500 fine and one (1) year of probation; MAX: \$5,000 fine and suspension until compliance with order.	MIN: \$5,000 fine and suspension until compliance with order; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course and a corrective action plan including, at a minimum, compliance with order.	MIN: Suspension and a corrective action plan including, at a minimum, compliance with order; MAX: Revocation.
(I) License disciplined by another jurisdiction for an offense that would constitute a violation of this chapter. (Section 465.016(1)(h), F.S.);	MIN: (Administrative related offense or offense not impacting patients directly) Reprimand; MIN: (All other offenses) Same penalty as	MIN: Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes;	MIN: Reprimand; MAX: Revocation. (Discipline shall be as close as possible to the penalty imposed in	MIN: Reprimand; MAX: Revocation. (Discipline shall be as close as possible to the penalty imposed in other jurisdiction.)

(Section 465.023(1)(e), F.S.)	imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes; MAX: \$5,000 fine and same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes.	MAX: \$10,000 fine and revocation.	other jurisdiction.)	
(m) Failing to report to the Department any chapter 458 or 459, F.S., licensee violation. (Section 465.016(1)(o), F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$1,500 fine and one (1) year of probation.	MIN: \$1,500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$5,000 fine and one (1) year of suspension.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE.
(n) Abandoning or allowing permit to become null and void after notice of disciplinary proceedings. (Section 465.018(3), F.S.)	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
(o) Failing to notify the Board of commencement or cessation of practice due to discipline in another jurisdiction. (Section 465.016(1)(p), F.S.)	MIN: \$500 fine and 12-hour Laws & Rules course or MJPE; MAX: \$2,000 fine and one (1) year of probation.	MIN: \$2,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(p) Using or releasing patient records improperly. (Section 465.016(1)(q), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MJPE; MAX: \$2,500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.

(q) Knowingly, or with reason to believe, dispensing based on purported prescription where patient-prescriber relationship is invalid. (Section 465.016(1)(s), F.S.); (Section 465.023(1)(h), F.S.)				
1. Reason to believe.	MIN: \$2,000 fine, 12-hour Laws & Rules course or MJPE, and one (1) year of probation; MAX: \$2,500 fine and one (1) year suspension followed by one (1) year of probation.	MIN:\$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension with a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
2. Knowingly.	MIN: \$5,000 fine, 12-hour Laws & Rules Course or MPJE, and one (1) year suspension; MAX: Revocation.	MIN: Revocation; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
(r) Committing an error or omission during prescription drug processing. (Section 465.016(1)(t), F.S.)	MIN (without ingestion or harm): \$250 fine, complete approved CE course in the prevention of medication errors of no less than eight (8) hours and submission of an improvement action plan; MIN (with ingestion) \$500 fine, complete approved CE course in the prevention of medication errors of no less than eight (8) hours and submission of an improvement action plan; MAX (with or without ingestion or harm): \$1,000 fine and one (1) year of probation.	MIN (without ingestion or harm): \$500 fine and complete approved CE course in the prevention of medication errors of no less than eight (8) hours, and two (2) years of probation; MIN (with ingestion) \$1,000 fine, complete approved CE course as outlined above, and two (2) years of probation; MAX (with or without ingestion or harm): Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, completion of an approved CE course in the prevention of medication errors of no less than eight (8) hours; MAX: One (1) year suspension with a continuing action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan including, at a minimum, completion of an approved CE course in the prevention of medication errors of no less than eight (8) hours; MAX: Revocation.

(s) Guilty of a felony involving moral turpitude. (Section 465.023(1)(d), F.S.)	MIN: \$1,000 fine and 12-hour Laws & Rules course or MJPE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension with a continuing action plan as outlined above.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(t) Guilty of a crime related to health care fraud. (Section 465.023(1)(g), F.S.)	MIN: Revocation, or in the case of application for licensure, denial of license; MAX: Revocation and a fine of \$10,000.	MIN: Revocation, or in the case of application for licensure, denial of license; MAX: \$10,000 fine and Revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
(u) Violating Section 456.072, F.S. (Section 465.016(1)(r), F.S.)				
1. Making misleading, or fraudulent representation in or related to the practice of the licensee's profession. (Section 456.072(1)(a), F.S.)	MIN: \$2,500 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension followed by one (1) year probation.	MIN: Revocation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: Revocation; MAX: Revocation
2. Intentionally violating any rule adopted by the Board or the Department. (Section 456.072(1)(b), F.S.)	MIN: \$2,500 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
3. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession. (Section 456.072(1)(c), F.S.)				
a. Misdemeanor.	MIN:\$1,000 fine; MAX: \$2,500 fine and one (1) year of probation.	MIN: \$2,500 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
b. Felony.	MIN: \$3,000 fine and one (1)	MIN:\$5,000 fine and one (1)	MIN: Suspension	MIN: One (1) year suspension

	year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year probation.	year suspension followed by one (1) year probation; MAX: \$10,000 fine and revocation.	and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	and a corrective action plan; MAX: Revocation.	465.016, F.S., failing to report to the Department any person who the licensee knows is in violation of Chapter 456, the chapter regulating the alleged violator, or the rules of the Department or the Board. (Section 456.072(1)(i), F.S.)	Laws & Rules course or MJPE; MAX: \$1,500 fine and one (1) year suspension followed by one (1) year of probation.	year suspension followed by one (1) year of probation; MAX: Revocation.	and a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: One (1) year suspension and a corrective action plan as outlined above.	a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MJPE; MAX: Revocation.
4. Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome, or medical errors. (Section 456.072(1)(e), F.S.) (Rules 64B16-26.103(1)(c), (4)(e), F.A.C.)	MIN: \$500 fine and suspension until compliant; MAX: \$1,000 fine and suspension until compliant.	MIN: \$1,000 fine and suspension until compliant; MAX: \$5,000 fine and suspension until compliant.	MIN: Suspension and a corrective action plan which includes, at a minimum, becoming compliant; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan which includes, at a minimum, becoming compliant; MAX: Revocation.					
5. Having a license or the authority to practice the regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. (Section 456.072(1)(f), F.S.)	MIN: (Administrative related offense or offense not impacting patients or directly) Reprimand; MIN: (All other offenses) Same penalty as imposed in the other jurisdiction or as closely as possible to penalties for similar violation; MAX: \$2,500 fine and same penalty as imposed in the other jurisdiction or as closely as possible to penalties for similar violation.	MIN: Same penalty as imposed in the other jurisdiction or as closely as possible to penalties for similar violation; MAX: \$10,000 fine and revocation.	MIN: Discipline as close as possible to the discipline imposed in the other jurisdiction; MAX: Revocation.	MIN: Discipline as close as possible to the discipline imposed in the other jurisdiction; MAX: Revocation.					
6. Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the Department against another licensee. (Section 456.072(1)(g), F.S.)	MIN: \$3,000 fine; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year probation; MAX: \$10,000 fine and revocation.	MIN: Reprimand; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.					
7. Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the Department or the Board. (Section 456.072(1)(h), F.S.)	MIN: Revocation or denial of license application; MAX: \$10,000 fine and revocation of license application.	MIN: Revocation or denial of license application; MAX: \$10,000 fine and revocation or denial of license application.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.					
8. Except as provided in section	MIN: \$500 fine and 12-hour	MIN: \$1,500 fine and one (1)	MIN: Suspension	MIN: Suspension and					
					10. Failing to perform any statutory or legal obligation placed upon a licensee. (Section 456.072(1)(k), F.S.)	MIN: \$2,000 fine and suspension until compliant; MAX: \$2,500 fine and suspension until compliant.	MIN: \$2,500 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and a corrective action plan which includes, at a minimum, becoming compliant; MAX: One (1) year suspension and a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
					11. Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so. (Section 456.072(1)(l), F.S.)				
					a. Knowingly filing a false report or willful obstruction.	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
					b. Negligently failing to file a report or record.	MIN: \$2,500 fine; MAX: \$5,000 fine.	MIN: \$5,000 fine and one (1) year of probation;	MIN: Reprimand; MAX: Suspension	MIN: Suspension and a corrective action plan;

		MAX: Revocation.	and _____ a corrective action plan.	MAX: Revocation.
12. Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or a scheme in or related to the practice of a profession. (Section 456.072(1)(m), F.S.)	MIN: \$5,000 fine and one (1) year of probation; MAX: \$10,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$10,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
13. Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party. (Section 456.072(1)(n), F.S.)	MIN: \$3,000 fine; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Reprimand; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
14. Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform. (Section 456.072(1)(o), F.S.)	MIN: \$2,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
15. Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them. (Section 456.072(1)(p), F.S.)	MIN: \$2,000 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
16. Violating any provision of chapter 456, F.S., the applicable professional practice act, a rule of the Department or the Board, or a lawful order of the Department or the Board, or failing to comply with a lawfully issued subpoena of the Department. (Section 456.072(1)(dd),	MIN: \$1,000 fine and 12-hour Laws & Rules course or MPJE; MAX: \$5,000 fine and one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, a 12-hour Laws & Rules course or MPJE; MAX: One (1) year suspension and _____ a corrective action plan as	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.

F.S.); and (Section 456.072(1)(q), F.S.)			outlined above.	
17. Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (Section 456.072(1)(r), F.S.)	MIN: \$2,500 fine and one (1) year of probation; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Suspension and _____ a corrective action plan; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
18. Engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), F.S. (Section 456.072(1)(v), F.S.)	MIN: Revocation; MAX: \$10,000 fine and Revocation.	MIN: Revocation; MAX: \$10,000 fine and revocation.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
19. Being unable to practice with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, chemicals, or as a result of any mental or physical condition. (Section 456.072(1)(z), F.S.)	MIN: \$500 fine, suspension until safe to practice with reasonable skill and safety; MAX: \$2,500 fine and revocation.	MIN: \$1,000 fine, one (1) year suspension followed by suspension until safe to practice with reasonable skill and safety; MAX: \$2,500 fine and revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, demonstration of the ability to practice with reasonable skill and safety; MAX: One (1) year suspension and _____ a corrective action plan as outlined above.	MIN: One (1) year suspension and a corrective action plan including, at a minimum, demonstration of the ability to practice with reasonable skill and safety; MAX: Revocation.
20. Failing to report to the Board, or the Department if there is no Board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. (Section 456.072(1)(x), F.S.)	MIN: \$1,000 fine; MAX: \$5,000 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$5,000 fine and one (1) year suspension followed by one (1) year of probation; MAX: \$10,000 fine and revocation.	MIN: Reprimand; MAX: One (1) year suspension and _____ a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
21. Testing positive for any drug, as defined in section 112.0455, F.S., on any confirmed preemployment or employer ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using such drug. (Section 456.072(1)(aa), F.S.)	MIN: \$500 fine, suspension until safe to practice with reasonable skill and safety; MAX: \$2,500 fine and revocation.	MIN: \$1,000 fine, suspension until safe to practice with reasonable skill and safety; MAX: \$2,500 fine and revocation.	MIN: Suspension and _____ a corrective action plan including, at a minimum, demonstration of the ability to practice with reasonable skill and safety; MAX: Revocation.	MIN: Suspension and a corrective action plan including, at a minimum, demonstration of the ability to practice with reasonable skill and safety; MAX: Revocation.

22. Being terminated from, or failing to successfully complete, an impaired practitioner treatment program. (Section 456.072(1)(hh), F.S.)	MIN: Suspension until successful completion or receipt of written confirmation of compliance with ongoing treatment; MAX: Revocation.	MIN: Revocation; MAX: \$10,000 fine and revocation	MIN: Suspension and a corrective action plan including, at a minimum, written confirmation of compliance with ongoing treatment; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
23. Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program. (Section 456.072(1)(ii), F.S.)	MIN: Revocation, or in the case of application for licensure, denial of license; MAX: \$10,000 fine and revocation, or in the case of application for licensure, denial of license.	MIN: Revocation or in the case of application for licensure, denial of license; MAX: \$10,000 fine and revocation, or in the case of application for licensure, denial of license.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.
24. Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement. (Section 456.072(1)(jj), F.S.)	MIN: \$500 fine; MAX: \$5,000 fine, suspension until amount owed is remitted followed by one (1) year of probation.	MIN: \$2,500 and suspension until amount owed is remitted followed by one (1) year of probation; MAX: \$5,000 fine and revocation.	MIN: Reprimand; MAX: Suspension and a corrective action plan including, at a minimum, remitting the amount owed.	MIN: Suspension and a corrective action plan including, at a minimum, remitting the amount owed; MAX: Revocation.
25. Being terminated from the state Medicaid program pursuant to section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, as a result of fraud and abuse unless eligibility to participate in the program from which the practitioner was terminated has been restored. (Section 456.072(1)(kk), F.S.)	MIN: \$10,000 fine and one (1) year of probation; MAX: Revocation.	MIN: \$10,000 fine and two (2) year suspension followed by one (1) year probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: Revocation.	MIN: Two (2) year suspension and a corrective action plan; MAX: Revocation.
26. Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud. (Section 456.072(1)(ll), F.S.)	MIN: Revocation, or in the case of application for licensure, denial of license; MAX: \$10,000 fine and revocation, or in the case of application for licensure, denial of license.	MIN: Revocation or in the case of application for licensure, denial of license; MAX: \$10,000 fine and revocation, or in the case of application for licensure, denial of license.	MIN: Revocation; MAX: Revocation.	MIN: Revocation; MAX: Revocation.

27. Willfully failing to comply with section 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice. (Section 456.072(1)(oo), F.S.)	MIN: Reprimand and a fine of \$250; MAX: \$500 fine and one (1) year of probation.	MIN: \$500 fine and one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: Suspension and corrective action plan.	MIN: Suspension and corrective action plan; MAX: Revocation.
(v) Violation of section 828.055, F.S. by a permitted county or municipal animal control agency or humane society. (Section 828.055, F.S.)				
1. Using drugs for animal euthanasia for an improper use. (Section 828.055(3)(a), F.S.)	MIN: Reprimand and a \$250 fine; MAX: \$500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$500 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: One (1) year suspension and corrective action plan.	MIN: One (1) year suspension and corrective action plan; MAX: Revocation.
2. Failing to take reasonable precautions against misuse, theft, loss, or diversion. (Section 828.055(3)(b), F.S.)	MIN: Reprimand and a \$250 fine; MAX: \$500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$500 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
3. Failing to detect or to report a significant loss, theft, or inventory shortage of drugs. (Section 828.055(3)(c), F.S.)	MIN: Reprimand, \$500 fine, and one (1) year of probation; MAX: \$1,000 fine, and one (1) year suspension followed by two (2) years of probation.	MIN: \$1,000 fine and one (1) year suspension followed by two (2) years of probation; MAX: Revocation.	MIN: Suspension and a corrective action plan; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
4. Failing to follow the rules of the Board regarding proper storage and handling of drugs. (Section 828.055(3)(d), F.S.)	MIN: Reprimand and a \$250 fine; MAX: \$500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$500 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
5. Violating any provision of section 828.055, chapter 465, and 499, F.S., or any rule adopted under those chapters. (Section 828.055(3)(e), F.S.)	MIN: Reprimand and a \$250 fine; MAX: \$500 fine and one (1) year suspension followed by one (1) year of probation.	MIN: \$500 fine and one (1) year suspension followed by one (1) year of probation; MAX: Revocation.	MIN: Reprimand; MAX: One (1) year suspension and a corrective action plan.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.
(w) Failure to display hyperlink on telehealth registrant's website. (Section 456.47(4)(c), F.S.)	N/A	N/A	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(x) Opening an office in Florida or providing in-person healthcare services to patients in Florida.	N/A	N/A	MIN: Suspension and a corrective action plan; MAX: Revocation.	MIN: One (1) year suspension and a corrective action plan; MAX: Revocation.

(Section 456.47(4)(f), F.S.)	N/A	N/A	MIN: Reprimand; MAX: Suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation
(y) Failure to notify the applicable board or the department if there is no board, of any adverse actions taken against his or her license. (Section 456.47(4)(i)1., F.S.)	N/A	N/A	MIN: Reprimand; MAX: Revocation. (Discipline shall be as close as possible to the penalty imposed in other jurisdiction.)	MIN: Reprimand; MAX: Revocation. (Discipline shall be as close as possible to the penalty imposed in other jurisdiction.)
(z) Has restrictions placed on or disciplinary action taken against his or her license in any state or jurisdiction. (Section 456.47(4)(i)2., F.S.)	N/A	N/A	MIN: Reprimand; MAX: One (1) year suspension and a corrective action plan.	MIN: Suspension and a corrective action plan; MAX: Revocation.
(aa) Violates any of the requirements of Section 456.47, F.S. (Section 456.47(4)(i)3., F.S.)	N/A	N/A		

(3) The board shall be entitled to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the board prior to the imposition of a final penalty.

(a) Aggravating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the enhancement of a penalty beyond the maximum level of discipline in the guidelines shall include but not be limited to the following:

1. History of previous violations of the practice act and the rules promulgated thereto.
2. In the case of negligent acts, the magnitude and scope of the damage or potential damage inflicted upon the patient or the general public by the licensee's misfeasance.
3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.
4. Harm occurred.

(b) Mitigating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the lessening of a penalty beyond the minimum level of discipline in the guidelines shall include but not be limited to the following:

1. In cases of negligent acts, the minor nature of the damage or potential damage to the patient's or the public's health, safety, and welfare resulting from the licensee's misfeasance.
2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices his profession.
3. Restitution of any monetary damage suffered by the patient.
4. The licensee's professional standing among his peers.

5. Steps already taken by the licensee to insure the non-occurrence of similar violations in the future, including continuing education.

6. The degree of financial hardship incurred by a licensee as a result of the imposition of fines or the suspension of his practice.

(4) All fines imposed by the Board shall be paid within a period of ninety (90) days from the date of the final order entered by the Board. This time limitation may be modified by the Board for good cause shown in order to prevent undue hardship.

Rulemaking Authority 456.47(4), 456.47(7), 456.072, 456.079, 465.005 FS. Law Implemented 456.47(4), 456.072, 456.079, 465.016, 465.023 FS. History—New 3-1-87, Amended 5-11-88, Formerly 21S-17.001, 21S-30.001, 61F10-30.001, Amended 6-26-95, 1-30-96, Formerly 59X-30.001, Amended 12-3-97, 11-15-98, 5-3-00, 1-2-02, 11-29-06, 9-26-12, 2-14-13, 2-5-14, 1-10-17, 12-18-18,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2020

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

#### FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Licensing

RULE NO.: 5N-1.113  
 RULE TITLE: Disciplinary Guidelines; Aggravating and Mitigating Circumstances; Range of Penalties.

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 46, No.109, June 4, 2020, issue of the Florida Administrative Register.

5N-1.113 Disciplinary Guidelines; Aggravating and Mitigating Circumstances; Range of Penalties.

(1) Purpose. This rule sets forth disciplinary guidelines used by the division when imposing penalties authorized under chapter 493, F.S. The guidelines notify applicants and licensees of the range of penalties which are routinely imposed unless the division finds it necessary to deviate based on aggravating and mitigating circumstances factors established within this rule.

(2) Violations.

(a) No change.

(b) This rule does not and is not intended to encompass all possible violations of statute or rule. The absence from this rule of a violation should not be construed as an indication that the violation does not cause harm to the public or is not subject to a penalty. In any instance where a violation is not listed in this rule, the penalty will be determined by consideration of:

1. The closest analogous violation, if any, and
2. Aggravating and mitigating ~~circumstances factors.~~

(3) Aggravating and Mitigating Circumstances Factors.

In proceedings pursuant to sections 120.57(1) and (2), F.S., the division will impose a penalty within the range corresponding to the violations as set forth below. The ranges are guidelines to which the division will refer in determining the level of penalty. Penalty ranges are based on a single occurrence of each violation listed. Multiple occurrences of a violation, or a combination of different violations, will be added together to determine the total penalties to be assessed and can be grounds for enhancement of penalties. The division will consider any applicable aggravating or mitigating circumstances when imposing a penalty within or outside the guideline range as can deviate upward or downward from the range of penalties provided by this rule and impose any penalty permitted by section 493.6118(2), F.S.-based on aggravating and mitigating factors related to each violation. The division considers the following as aggravating or mitigating circumstances:

(a) through (k) No Change

(l) Any other relevant aggravating or mitigating circumstances factor.

(4) No change.

(5) Final Orders. A violator's failure to comply with a final order that imposes penalties, shall result in denial of a license application, or revocation of existing chapter 493 licenses pursuant to section 493.6118(2)(a) and (e), F.S. This is in addition to suspension of licenses under section 493.6118(6), F.S. for nonpayment of fines. Additional penalties as stated within (4)(b) of this rule, can be sought by the division through enforcement of the final order in circuit court.

(6) through (9) No change.

Rulemaking Authority 493.6103 FS. Law Implemented 493.6110(2), 493.6111(5), 493.6112(1), (2), 493.6115, 493.6118, 493.6120(5), 493.6121, 493.6124, 493.6301(8), 493.6404 FS. History--New 5-7-91, Amended 5-15-95, Formerly 1C-3.113, Amended 5-23-19,

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-1.0502 Non-certificated Instructional Personnel  
NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 46 No. 136, July 14, 2020 Florida Administrative Register has been continued from August 12, 2020 to September 23, 2020.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-1.0504 Best and Brightest Award Subject Area  
Content Expert  
NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 46 No. 136, July 14, 2020 Florida Administrative Register has been continued from August 12, 2020 to September 23, 2020.

**Section IV  
Emergency Rules**

**NONE**

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

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification

NOTICE IS HEREBY GIVEN that on July 23, 2020, the Department of Law Enforcement, received a petition for temporary waiver of paragraph 11B-21.005(3), Florida Administrative Code from Director William J. Romine, Chairman, Training Center Directors Association on behalf of statewide CJSTC Training Center Directors. The Petitioners wish to temporarily waive that portion of the rule that states: (3) Classroom Facility and Equipment Requirements. Comply with the classroom facility and equipment requirements set forth in the Training School Classroom Facility Requirements, form CJSTC-205, revised October 30, 2008, hereby incorporated by reference.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850) 410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.: RULE TITLE:

11B-35.0010 eLearning Instruction

NOTICE IS HEREBY GIVEN that on July 23, 2020, the Department of Law Enforcement, received a petition for temporary waiver of paragraph 11B-35.0010(1), Florida Administrative Code from Director William J. Romine, Chairman, Training Center Directors Association on behalf of statewide CJSTC Training Center Directors. The Petitioners wish to temporarily waive that portion of the rule that states: (1) Training schools are permitted to use eLearning instruction for Commission-approved Specialized Training Program Courses, Specialized Instructor Courses, and courses created from Specialized Goals and Objectives.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850) 410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.: RULE TITLE:

11B-35.001 General Training Programs; Requirements and Specifications

NOTICE IS HEREBY GIVEN that on July 23, 2020, the Department of Law Enforcement, received a petition for temporary waiver of paragraph 11B-35.001(3)(b), Florida Administrative Code from Director William J. Romine, Chairman, Training Center Directors Association on behalf of statewide CJSTC Training Center Directors. The Petitioners wish to temporarily waive that portion of the rule that states: Be required to hold additional certifications for specified areas of instruction in Commission courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified defensive tactics instructors who instruct defensive tactics courses on or after July 1, 2020, must have completed the Defensive Tactics Instructor Course, effective May 2, 2019, as a part of their initial defensive tactics instructor certification or have completed the Defensive Tactics Instructor Update Course effective April 1, 2018.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850) 410-7676.

DEPARTMENT OF MANAGEMENT SERVICES  
 Public Employees Relations Commission  
 RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on July 24, 2020, the Public Employees Relations Commission, received a petition for

variance from Rule 60CC-4.002, F.A.C., from Rod Skirvin and the Broward County Police Benevolent Association, Inc. to allow it to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-030. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-22.0002 Licensure Change of Status, Reactivation; Reinstatement of Void Licenses

The Board of Professional Engineers hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on April 21, 2020, by Jacqueline Foster. The Notice of Petition for Variance or Waiver was published in Vol. 46, No. 86, of the May 1, 2020, Florida Administrative Register. Petitioner sought a variance from or a waiver of Rule 61G15-22.0002(3), F.A.C., which will implement the requirements of section 455.271(6)(a), F.S. Pursuant to the Rule, in order to reinstate such license, Petitioner must complete thirty-four (34) hours of in-person (live) continuing education, as well as two (2) hours of Florida Laws and Rules & Professional Ethics. The Board considered the instant Petition at a duly-noticed videoconference held on June 10, 2020, in Tallahassee, Florida. The Board's Order, filed on June 30, 2020, grants the Petition for Variance and Waiver with conditions as listed in the Order.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, telephone 850-521-0050 or by email: zraybon@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants

The Florida Real Estate Commission hereby gives notice:

gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on March 27, 2020, Lisa Goyette, Bob Hogue School of Real Estate. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 85, April 30, 2020, Florida Administrative Register. Petitioner sought a variance of Rule 61J2-3.008, F.A.C. The Commission considered the instant Petition at a duly-noticed public meeting held on May 19, 2020, by telephone conference call. The Commission's Order was filed on June 19, 2020. Prior to consideration of this item, earlier in the meeting agenda, the Commission voted to issue a universal hardship exception order to the Pre-and Post-Licensure Education Course examination requirements, which will establish an exception for all persons subject to the rule requirement. Relief having been granted through the Hardship Exception Order, this Petition addressing Petitioner's individual facts and circumstances is moot and hereby DISMISSED.

A copy of the Order or additional information may be obtained by contacting: Robin Rogers, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, FL 32801, or telephone (850)487-1395 or by email: Robin.Rogers@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.:RULE TITLES:

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants

61J2-3.009 Continuing Education for Active and Inactive Broker and Sales Associate Licensees

61J2-3.010 License Reactivation Education for Brokers and Sales Associates

61J2-3.011 Continuing Education for School Instructors

61J2-3.020 Post-licensing Education for Active and Inactive Broker and Sales Associate Licensees

The Florida Real Estate Commission hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on March 25, 2020, Linda Olson, Florida Real Estate Learning Center; Susan Dutcher, First American Title Insurance and Company; Steve McKee, Florida Agency, and Nicholas Carioti, Jr., Florida Real Estate Learning Center. The Notice of Petition for Waiver or Variance was published in Vol. 46, No. 60, March 26, 2020, Florida Administrative Register. Petitioners sought a variance of Rule(s) 61J2-3.008, 3.009, 3.010, 3.011, and/or 3.020, F.A.C. The Commission considered the instant Petition at a duly-noticed public meeting held on April 7, 2020, by telephone conference call. The Commission's Orders were filed on June 10, 2020 and July 10, 2020. Prior to consideration of this item, earlier in the meeting agenda, the Commission voted to proceed with promulgation of an

Emergency Rule on the same subjects as the Petition, Adoption of the Emergency Rule will provide a blanket exception to the issues confronting Petitioners. Relief having been granted through the Emergency Rule, the Petition addressing Petitioners facts and circumstances are moot and hereby DISMISSED.

A copy of the Order or additional information may be obtained by contacting: Robin Rogers, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, FL 32801, or telephone (850)487-1395 or by email: Robin.Rogers@myfloridalicense.com.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support

RULE NO.: RULE TITLE:

64J-2.016 Site Visits and Approval

NOTICE IS HEREBY GIVEN that on July 23, 2020, the Florida Department of Health, Division of Emergency Preparedness and Community Support, received a petition for an emergency temporary variance from the requirement of Florida Administrative Code Rule 64J-2.016, that Ascension Sacred Heart Bay, f/k/a Bay Medical Center, receive an on-site evaluation by a review team of out-of-state reviewers not later than August 22, 2020. The petition filed on July 23, 2020, amends the petition filed on July 7, 2020.

Any interested person or other agency may submit written comments within five (5) days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Shayla Cole, Florida Department of Health, Division of Emergency Preparedness and Community Support, Bureau of Emergency Medical Oversight, 4042 Bald Cypress Way, Bin# A-22, Tallahassee, Florida 32399, (850) 558-9551, Shayla.Cole@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida National Register Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 6, 2020, 1:30 p.m.

PLACE: Webinar Address: <https://attendee.gotowebinar.com/register/4829186318466361616>

Webinar ID: 393-969-811

Phone No.: (914) 614-3221

Access Code: 299-851-465

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Quarterly meeting of the Florida National Register Review Board to review and approve proposed National Register nominations.

A copy of the agenda may be obtained by contacting: Ruben A. Acosta, Survey and Registration Supervisor, 850-245-6364 or ruben.acosta@dos.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 48 hours before the workshop/meeting by contacting: Ruben A. Acosta, Survey and Registration Supervisor, 850-245-6364 or ruben.acosta@dos.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).

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: Ruben A. Acosta, Survey and Registration Supervisor, 850-245-6364 or ruben.acosta@dos.myflorida.com.

**DEPARTMENT OF STATE**  
Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, August 27, 2020, 9:00 a.m. until conclusion

**PLACE:** This meeting will be held via webinar and teleconference. Please join the meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CultureBuildsFL/museum-gps-level-2-panel-meeting>

You can also dial in using your phone.

United States: +1 (646) 749-3122

Access Code: 374-462-325

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 374 462 325

Or dial directly: 374462325@67.217.95.2 or 67.217.95.2##374462325

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and score grant applications for the 2021-2022 Museum Level 2 General Program Support grant program.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: [www.florida-arts.org](http://www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachele Ashmore, (850) 245-6490, rachele.ashmore@dos.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: Sarah Stage, (850)245-6459, sarah.stage@dos.myflorida.com.

**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:** August 6, 2020, 2:00 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee.

**DATE AND TIME:** August 11, 2020, 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:** August 13, 2020, 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:** August 18, 2020, 4:00 p.m.

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

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

**DATE AND TIME:** August 19, 2020, 4:00 p.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:** August 20, 2020, 4:00 p.m.

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

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

DATE AND TIME: August 26, 2020, 4:00 p.m.  
 PLACE: Please call (850) 414-3300 for instructions on participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee.

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.

**DEPARTMENT OF MANAGEMENT SERVICES**

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 28, 2020, 8:30 a.m. - 9:30 a.m. ET

PLACE: Teleconference: 1 (888) 585-9008; Conference Room #: 261-924-180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Identify Work Group (a subcommittee of the Florida Cybersecurity Task Force, established pursuant to Chapter 2019-118, Laws of Florida), announces its agenda to include: discussions on cybersecurity issues. Participants may participate by phone by dialing: United States (toll free) 1(888) 585-9008; Access Code 261-924-180.

A copy of the agenda may be obtained by contacting: The agency website at [https://www.dms.myflorida.com/other\\_programs/cybersecurity\\_task\\_force](https://www.dms.myflorida.com/other_programs/cybersecurity_task_force).

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: [cybertaskforce@dms.myflorida.com](mailto:cybertaskforce@dms.myflorida.com) or (850) 922-6535. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Professional Geologists

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

DATE AND TIME: Wednesday, August 5, 2020, 10:00 a.m.

PLACE: Via Teleconference; dial 1(877)309-2073, Access Code#659-910-157

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

DATE AND TIME: August 4, 2020, 9:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Palm Port, a 126-unit multifamily residential rental development located at 1651 West Price Boulevard, North Port, Sarasota County, FL. The owner and operator of the development is SP Port LLC, located at 5403 West Gray Street, Tampa, FL 33609 or such successor in interest in which SP Port LLC or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc d/b/a Cambridge Management of Washington, Inc., located at 5403 West Gray Street, Tampa, FL 33609. The tax-exempt bond amount is not to exceed \$15,950,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 PM (Tallahassee local time), July 31, 2020, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at 850-488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1-800-955-8770 (Voice) and 1-800-955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: Tim Kennedy, Assistant Director of Multifamily Programs.

For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs.

#### FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

DATE AND TIME: August 4, 2020, 9:30 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Heron Estates Family, a 79-unit multifamily residential rental development located at West 17th Court, West 17th Court and North Congress Ave., Riviera Beach, Palm beach County, FL. The owner and operator of the development is HTG Heron Estates Family, LLC, located at 3225 Aviation Avenue, Suite 602, Coconut Grove, FL 33133 or such successor in interest in which HTG Heron Estates Family, LLC or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is HTG Management, LLC, located at 3225 Aviation Avenue, Suite 602, Coconut Grove, FL 33133. The tax-exempt bond amount is not to exceed \$12,100,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 PM (Tallahassee local time), July 31, 2020, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at 850-488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1-800-955-8770 (Voice) and 1-800-955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: Tim Kennedy, Assistant Director of Multifamily Programs. For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs.

FISH AND WILDLIFE CONSERVATION COMMISSION  
RULE NO.: RULE TITLE:

68-1.001Adoption of Uniform Rules of Procedure; Subject Matter Index; Official Reporter

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

DATE AND TIME: August 4, 2020, 1:00 p.m.

PLACE: via Adobe Connect

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular meeting of the Boating Advisory Committee to review and discuss boating-related topics and to take action. Topics may include discussion about working waterfronts, waterway management, boating and navigation regulations.

A copy of the agenda may be obtained by contacting: FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or by calling (850)488-5600.

Section VII

Notice of Petitions and Dispositions  
Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions  
Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION  
METROPOLITAN PLANNING ORGANIZATIONS  
NOTICE TO PROFESSIONAL CONSULTANTS  
REQUEST FOR PROPOSALS

The Sarasota/Manatee Metropolitan Planning Organization (MPO) requests that qualified consultants submit proposals for consideration in the competitive selection of professional transportation planning services on the following project:

PROJECT: GENERAL PLANNING CONSULTANTS (GPC)

The MPO requires the services of one or more Consultants to provide production support to the MPO transportation planning activities set forth in the Unified Planning Work Program (UPWP). The length of contract is three (3) years, estimated to begin on November 1, 2020. The Consultants will assist the MPO staff on a work assignment basis in a variety of technical, graphical, public involvement and document review activities. The Consultant(s) shall assist the MPO staff by providing additional resources to accomplish assignments authorized by the MPO. The Scope of Services outlines tasks that may be assigned to Consultant(s) under one or more general planning Consultant contracts. Consideration will be given to only those firms that have been prequalified by the Florida Department of Transportation (FDOT) to perform the indicated MAJOR Types of Work.

TO RESPOND: Firms qualified to conduct business in the State of Florida are asked to submit 1 (one) printed original, 1 (one) digital copy, and 8 (eight) printed copies of proposals to the MPO office no later than 12:00 pm EST, Friday, August 14, 2020. The complete General Planning Consultant (GPC) RFP can be obtained from the MPO website, www.mympo.org or

from the MPO Office listed below. The MPO reserves the right to reject any and all letters that are determined to be non-responsive to the RFP.

Requests for clarification or inquiries about information contained in the RFP package must be submitted by email to Ryan Brown, ryan@mympo.org, no later than 12:00 pm EST, on Friday, July 24, 2020. The questions submitted, and the responses, will be posted no later than 4:30 p.m. EST, Friday, July 31, 2020 on the MPO website: www.mympo.org. All proposals must be mailed or delivered in a single, sealed package to the MPO by 12:00 pm on Friday, August 14, 2020 to:

Sarasota/Manatee MPO  
 General Planning Consulting (GPC) Services RFP  
 ATTN: Ryan Brown, Principal Planner  
 Sarasota/Manatee Metropolitan Planning Organization  
 8100 15th Street East  
 Sarasota, FL 34243

MPO reserves the right to reject any and all letters that are determined to be non-responsive to the RFP.

Requests for clarification or inquiries about information contained in the RFP package must be submitted by email to Ryan Brown, ryan@mympo.org, no later than 12:00 p.m. EST, on Wednesday, August 5, 2020. The questions submitted, and the responses, will be posted no later than 4:30 p.m. EST, Friday, August 7, 2020 on the MPO website: www.mympo.org. All proposals must be mailed or delivered in a single, sealed package to the MPO between 12:00 p.m. to 4:00 p.m. on Monday, August 24, 2020 to:

Sarasota/Manatee MPO  
 General Planning Consulting (GPC) Services RFP  
 ATTN: Ryan Brown, Principal Planner  
 Sarasota/Manatee Metropolitan Planning Organization  
 8100 15th Street East  
 Sarasota, FL 34243

SARASOTA/MANATEE METROPOLITAN PLANNING ORGANIZATION  
 METROPOLITAN PLANNING ORGANIZATIONS  
 NOTICE TO PROFESSIONAL CONSULTANTS  
 REQUEST FOR PROPOSALS

The Sarasota/Manatee Metropolitan Planning Organization (MPO) requests that qualified consultants submit proposals for consideration in the competitive selection of professional transportation planning services on the following project:

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**TO RESPOND:** Firms qualified to conduct business in the State of Florida are asked to submit 1 (one) printed original, 1 (one) digital copy, and 8 (eight) printed copies of proposals to the MPO office between 12:00 p.m. to 4:00 p.m. EST, Monday, August 24, 2020. The complete General Planning Consultant (GPC) RFP can be obtained from the MPO website, www.mympo.org or from the MPO Office listed below. The

**Section XII  
 Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 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., Monday, July 20, 2020 and 3:00 p.m., Friday, July 24, 2020.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5CER20-4	7/21/2020	7/21/2020
6M-4.630	7/24/2020	8/23/2020
6M-4.735	7/24/2020	8/23/2020
40A-7.001	7/24/2020	8/23/2020
40A-7.002	7/24/2020	8/23/2020
40A-7.003	7/24/2020	8/23/2020
40A-7.004	7/24/2020	8/23/2020
40A-7.005	7/24/2020	8/23/2020
40D-8.041 (Crystal River/ Kings Bay)	7/20/2020	8/19/2020
40D-8.041 (Pithlachascotee)	7/20/2020	8/19/2020
40D-8.624	7/20/2020	8/19/2020
53ER20-61	7/23/2020	7/23/2020
62-330.010	7/21/2020	**/**/****
62-331.010	7/21/2020	**/**/****
62-331.051	7/21/2020	**/**/****

62-331.052	7/21/2020	**/**/****
62-331.053	7/21/2020	**/**/****
62-331.054	7/21/2020	**/**/****
62-331.060	7/21/2020	**/**/****
62-331.080	7/21/2020	**/**/****
62-331.090	7/21/2020	**/**/****
62-331.110	7/21/2020	**/**/****
62-331.120	7/21/2020	**/**/****
62-331.160	7/21/2020	**/**/****
62-331.200	7/21/2020	**/**/****
62-331.201	7/21/2020	**/**/****
62-331.210	7/21/2020	**/**/****
62-331.215	7/21/2020	**/**/****
62-331.216	7/21/2020	**/**/****
62-331.217	7/21/2020	**/**/****
62-331.225	7/21/2020	**/**/****
62-331.226	7/21/2020	**/**/****
62-331.229	7/21/2020	**/**/****
62-331.230	7/21/2020	**/**/****
62-331.231	7/21/2020	**/**/****
62-331.240	7/21/2020	**/**/****
62-331.242	7/21/2020	**/**/****
62-331.248	7/21/2020	**/**/****
64B15-13.001	7/24/2020	8/23/2020
65D-30.014	7/21/2020	8/20/2020
65D-30.0141	7/21/2020	8/20/2020
65D-30.0142	7/21/2020	8/20/2020
<b>LIST OF RULES AWAITING EPA APPROVAL PURSUANT TO SECTION 373.4146 (2), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
62-330.010	7/21/2020	**/**/****
62-330.050	6/26/2020	**/**/****
62-330.060	6/26/2020	**/**/****
62-330.090	6/26/2020	**/**/****
62-330.201	6/26/2020	**/**/****
62-330.340	6/26/2020	**/**/****
62-330.402	6/26/2020	**/**/****
62-331.010	7/21/2020	**/**/****
62-331.020	6/11/2020	**/**/****
62-331.030	6/11/2020	**/**/****

62-331.040	6/11/2020	**/**/****
62-331.050	6/11/2020	**/**/****
62-331.051	7/21/2020	**/**/****
62-331.052	7/21/2020	**/**/****
62-331.053	7/21/2020	**/**/****
62-331.054	7/21/2020	**/**/****
62-331.060	7/21/2020	**/**/****
62-331.070	6/11/2020	**/**/****
62-331.080	7/21/2020	**/**/****
62-331.090	7/21/2020	**/**/****
62-331.100	6/11/2020	**/**/****
62-331.110	7/21/2020	**/**/****
62-331.120	7/21/2020	**/**/****
62-331.130	6/11/2020	**/**/****
62-331.140	6/11/2020	**/**/****
62-331.160	7/21/2020	**/**/****
62-331.200	7/21/2020	**/**/****
62-331.201	7/21/2020	**/**/****
62-331.210	7/21/2020	**/**/****
62-331.211	6/11/2020	**/**/****
62-331.212	6/11/2020	**/**/****
62-331.213	6/11/2020	**/**/****
62-331.214	6/11/2020	**/**/****
62-331.215	7/21/2020	**/**/****
62-331.216	7/21/2020	**/**/****
62-331.217	7/21/2020	**/**/****
62-331.218	6/11/2020	**/**/****
62-331.219	6/11/2020	**/**/****
62-331.220	6/11/2020	**/**/****
62-331.221	6/11/2020	**/**/****
62-331.222	6/11/2020	**/**/****
62-331.223	6/11/2020	**/**/****
62-331.224	6/11/2020	**/**/****
62-331.225	7/21/2020	**/**/****
62-331.226	7/21/2020	**/**/****
62-331.227	6/11/2020	**/**/****
62-331.228	6/11/2020	**/**/****
62-331.229	7/21/2020	**/**/****
62-331.230	7/21/2020	**/**/****
62-331.231	7/21/2020	**/**/****
62-331.233	6/11/2020	**/**/****

62-331.234	6/11/2020	**/**/****
62-331.235	6/11/2020	**/**/****
62-331.236	6/11/2020	**/**/****
62-331.237	6/11/2020	**/**/****
62-331.238	6/11/2020	**/**/****
62-331.239	6/11/2020	**/**/****
62-331.240	7/21/2020	**/**/****
62-331.241	6/11/2020	**/**/****
62-331.242	7/21/2020	**/**/****
62-331.243	6/11/2020	**/**/****
62-331.244	6/11/2020	**/**/****
62-331.245	6/11/2020	**/**/****
62-331.246	6/11/2020	**/**/****
62-331.247	6/11/2020	**/**/****
62-331.248	7/21/2020	**/**/****
<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	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**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.