

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: **RULE TITLES:**
 64B8-30.003 Physician Assistant Licensure
 64B8-30.008 Formulary
 64B8-30.009 Requirements for Approval of Training Programs
 64B8-30.013 Notice of Noncompliance
 64B8-30.014 Citation Authority
 64B8-30.015 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to conform the rule language and incorporated applications to statutory revisions made by Chapters 2021-190, 2021-199, and 2021-204, Laws of Florida. **SUBJECT AREA TO BE ADDRESSED:** Update rule language and incorporated applications.

RULEMAKING AUTHORITY: 456.47(7), 456.013, 456.031(2), 456.033, 456.073(3), 456.077, 456.079, 458.309, 458.331(5), 458.347, 458.347(4)(f)1., 458.347(7)(e), (f), (g), (12), (13) FS.

LAW IMPLEMENTED: 456.44, 456.47(7), 456.013, 456.0135, 456.017, 456.031, 456.033, 456.0635, 456.072, 456.073(3), 456.077, 456.079, 458.3265, 458.331, 458.331(5), 458.347, 458.347(4)(e), (f), 458.347(4)(e)1., (7)(f) 458.347(7)(f), (g), (12), (13), 459.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: **RULE TITLES:**
 64B15-6.003 Physician Assistant Licensure
 64B15-6.0038 Formulary
 64B15-6.004 Requirements for Approval of Training Programs
 64B15-6.0105 Notice of Noncompliance
 64B15-6.01051 Citation Authority
 64B15-6.011 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to conform the rule language and incorporated applications to statutory revisions made by Chapters 2021-190, 2021-199, and 2021-204, Laws of Florida. **SUBJECT AREA TO BE ADDRESSED:** Update rule language and incorporated applications.

RULEMAKING AUTHORITY: 456.47(7), 456.073(3), 456.077, 456.079, 458.347, 458.347(7), 459.005, 459.015(5), 459.022, 459.022(4), (6), 459.022(7)(f), (12) FS.

LAW IMPLEMENTED: 456.44, 456.47(4), 456.013, 456.031, 456.0135, 456.031, 456.033, 456.0635, 456.072, 456.073(3), 456.077, 456.079, 458.347, 458.347(7)(f), (12), 459.0137, 459.015, 459.015(5), 459.022, 459.022(4)(e), 459.022(6), 459.022(4)(e)1., (7)(f), 459.022(7)(d), (f), (12) FS.

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

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

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 EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
 6A-1.09411 K-12 Civic Education Curriculum

PURPOSE AND EFFECT: To set forth the requirements for an integrated civic education curriculum for school districts and charter schools to utilize for grades K-12. The rule will also

define and clarify the following content: “An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.” This rulemaking is for House Bill 5 Civic Education Curriculum.

SUMMARY: Provides requirements for the integrated K-12 civic education curriculum and clarity for implementing the upright and desirable citizenry component of the curriculum required by House Bill 5.

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: Based upon experience in the past when course descriptions were revised to add clarity or satisfy legislation, the adverse impact or regulatory cost of this proposed rule, if any, is not expected to exceed any of the economic criteria set forth in Section 120.541(2)(a), F.S. and is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(2)(n), 1003.44(6), F.S.

LAW IMPLEMENTED: 1003.41, 1003.42, 1003.44, F.S.

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

DATE AND TIME: October 20, 2021, 9 A.M.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael DiPierro, Director of Standards, Michael.DiPierro@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09411 K-12 Civic Education Curriculum

(1) It is the intent of the State Board of Education that high school graduates have sufficient knowledge of United States civics and government, particularly the principles reflected in the Declaration of Independence and the Constitution of the

United States, so as to be capable of discharging the responsibilities associated with American citizenship.

(2) To help families, civic institutions, local communities, district school boards, and charter schools prepare students to be civically responsible and knowledgeable adults, the requirements for an integrated civic education curriculum that school districts and charter schools utilize for grades K through 12 are as follows:

(a) Using the social studies standards adopted in Rule 6A-1.09401, F.A.C., Student Performance Standards, the instruction and curriculum for integrated civics education must advance student content knowledge and skills each year as developmentally appropriate.

(b) Curriculum and instruction must comply with the efficient and faithful teaching of the required topics and must be consistent with the Next Generation Sunshine State Standards and the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards, per Rule 6A-1.094124, F.A.C., Required Instruction Planning and Reporting.

(3) The integrated civic education curriculum must assist students in developing:

(a) An understanding of their shared rights and responsibilities as residents of the state and of the founding principles of the United States, and must include the following topics:

1. A review of select colonial American charters, compacts, and laws that preceded and influenced the Declaration of Independence and the Constitution of the United States.

2. The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truths, equality of all persons, limited government, consent of the governed, right of resistance, popular sovereignty, and the divine source of inalienable rights of life, liberty, and property, and how those rights form the philosophical foundation of our government.

3. The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the ten (10) amendments that make up the Bill of Rights, and how the Constitution provides the structure of our government.

4. The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(b) A sense of civic pride and desire to participate regularly with government at the local, state, and federal levels.

(c) An understanding of the process for effectively advocating before government bodies and officials.

(d) An understanding of the civic-minded expectations of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of

liberty inherited from prior generations and secured by the United States Constitution. An upright and desirable citizen:

1. Has a thorough knowledge of America’s founding principles and documents, and is equipped to apply this knowledge.

2. Demonstrates civic virtue and self-government that promotes the success of the United States constitutional republic through personal responsibility, civility, and respect in political, social, and religious discourse and lawful civic engagement.

3. Respects the military, elected officials, civic leaders, public servants, and all those who have defended the blessings of liberty in pursuit of the common good, even at personal risk.

4. Understands the United States Constitution, Bill of Rights, and other amendments in their historical context; defends the core values of these documents and the principles that shaped them.

5. Recognizes how political ideologies, such as communism and totalitarianism, conflict with the principles of freedom and democracy essential to preserving the United States constitutional republic.

6. Appreciates the price paid by previous generations to secure the blessings of liberty and why it is the responsibility of current and future generations to preserve it.

Rulemaking Authority 1001.02(2)(n), 1003.44(6) FS. Law Implemented 1003.41, 1003.42, 1003.44 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael DiPierro, Director of Standards, Department of Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.066 Approval of Teacher Preparation Programs

PURPOSE AND EFFECT: To update provisions in the rule due to statutory changes, rule changes and for clarity. Proposed changes include: modification of processes and requirements for initial and continued program approval of teacher preparation programs to include revising student admission requirements, modifying the Uniform Core Curricula, and adding clarifying definitions.

SUMMARY: Proposed changes include adding definitions that will provide clarity for preparation programs that align to the

initial and continued approval process; removal of the ten percent waiver for initial teacher preparation programs (ITP); adding the reading endorsement for candidates entering a teacher preparation program in the 2022-2023 academic year in certain coverage areas; changing the Uniform Core Curriculum by adding strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and strategies to support the use of technology in education and distance learning; and striking weak and adding needs improvement to the continued approval rubric to align the continued approval rating terms with other commonly used systems for clarity purposes.

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: Based upon agency experience with approval of these programs, the adverse criteria regulatory cost, if any, will not exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02, 1004.04, 1004.85, 1012.56, F.S.

LAW IMPLEMENTED: 1004.04, 1004.85, 1012.56, 1012.585(3)(f), F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Abbey Stewart, Bureau Chief, Educator Recruitment, Abbey.Stewart@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.066 Approval of Teacher Preparation Programs.

This rule sets forth the requirements and implementation of the approval process for each type of teacher preparation

program offered by a Florida provider as set forth in Sections 1004.04, 1004.85, and 1012.56(8), Florida Statutes.

(1) Definitions. For the purposes of this rule, the following definitions apply.

(a) through (m) No change.

(n) “High-performing schools” mean schools with a school grade of A or B.

(o) “Improving schools” mean schools that have improved a letter grade from the previous year.

(p) “In-field teacher” means an instructional employee assigned duties in a classroom teaching subject matter or providing direct support in the learning process of students in the area in which the instructional personnel is trained and certified.

(q) “Initial approval” means that a new teacher preparation program has been granted the authority to operate for a seven-year period.

(r) “Initial teacher preparation programs” or “ITPs” mean all programs offered by Florida postsecondary institutions that prepare instructional personnel under Section 1004.04, F.S., and result in qualification for an initial Florida Professional Educator’s Certificate.

(s) “Instructional position” means any full-time or part-time position held by a K-12 staff member whose function includes the provision of direct instructional services to students or provides direct support in the learning process of students as prescribed in Section 1012.01(2)(a)-(d), F.S., but not including substitute teachers.

(t) “Low-Performing Institutions” means an institution who is identified as low-performing by having an average summative annual APPR rating that is at or below a 1.79. This rating is based upon an average of all APPR scores within the continued approval period and across the provider’s state approved teacher preparation programs and excludes years where the APPR was calculated per paragraph (6)(e) of this rule.

(u) “Professional education competency program” or “PEC program” means a program under Section 1012.56(8), F.S., in which instructional personnel with a valid temporary certificate employed by a school district, or private school, or state-supported public school with a state-approved program, may demonstrate mastery of professional preparation and education competence through classroom application of the Florida Educator Accomplished Practices and instructional performance.

(v) “Performance of Prekindergarten-12 students on statewide assessments using results of student learning growth formula per Section 1012.34, F.S.,” means that the score is based on the performance of P-12 students assigned to in-field program completers from the previous three-year period who

received a student learning growth score from the most recent academic year for which results are available.

(w) “Placement rate” means the number of program completers reported annually by each program to the Department who are identified by the Department’s Staff Information System, as prescribed in Section 1008.385(2), F.S., as employed in a full-time or part-time instructional position in a Florida public school district in either the first or second academic year subsequent to program completion. Program completers employed in a private or out-of-state P-12 school their first or second year following program completion are also included in the calculation if data are reported by the program and have been verified. If a program provides documentation of a program completer’s employment as a school administrator as defined in Section 1012.01(3)(c), F.S., in a private or out-of-state school, or a program completer’s death or disability, the number of program completers included in the calculation will be adjusted.

(x) “Production of program completers in statewide critical teacher shortage areas per Rule 6A-20.0131, F.A.C., in accordance with Section 1012.07, F.S.,” means a bonus score is awarded when the number of program completers in specified critical teacher shortage areas increases from the most recent year compared to the number of program completers from the previous academic year.

(y) “Professional development certification program” or “PDCP” means a program in which a school district, charter school or charter management organization may provide instruction for members of its instructional staff who are non-education baccalaureate or higher degree holders under Section 1012.56(8), F.S., and results in qualification for an initial Florida Professional Educator’s Certificate.

(z) “Program candidate” means an individual who has been admitted into and is currently enrolled in, but has not yet completed a teacher preparation program that prepares instructional personnel to meet the qualifications for a Florida Professional Educator’s Certificate.

(aa) “Program completer” means an individual who has satisfied all teacher preparation program requirements and who meets the qualifications for the Florida Professional Educator’s Certificate.

(bb) “Program completer in need of remediation” means an individual who is employed in an instructional position in a Florida public school during the first two (2) years immediately following completion of the program or following initial certification, whichever occurs first, and who earns an evaluation result of developing or unsatisfactory on the school district’s evaluation system implemented under Section 1012.34, F.S.

~~(cc)(aa)~~ “Provider” means a Florida postsecondary institution, private provider, school district, charter school, or charter management organization.

~~(dd)(bb)~~ “Reading endorsement competencies” mean those standards described in Rule 6A-4.0163, F.A.C., which is incorporated herein by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04962>).

~~(ee)(cc)~~ “Results of program completers’ annual evaluations as specified in Section 1012.34, F.S.,” mean that scores are based on program completers from the previous three-year period who received an annual evaluation rating from the most recent academic year.

~~(ff)(dd)~~ “Retention rate” means the average number of years that program completers are employed in a full-time or part-time instructional position in a Florida public school district at any point each year in a five-year period following initial employment in either of the two (2) subsequent academic years following program completion. Program completers employed in a private or out-of-state P-12 school their first or second year following program completion are also included in the calculation if data are reported by the program and have been verified. If a program provides documentation of a program completer’s employment as a school administrator as defined in Section 1012.01(3)(c), F.S., in a private or out-of-state school, or a program completer’s death or disability, the number of program completers included in the calculation will be adjusted.

~~(gg)(ee)~~ “Student performance by subgroup” means the performance of students in P-12 who are assigned to in-field program completers aggregated by student subgroup, as referenced in Sections 1004.04(4)(a)3.d., 1004.85(4)(b)4. and 1012.56(8)(d)2.c., F.S., as a measure of how well the teacher preparation program prepares instructional personnel to work with a diverse population of students in a variety of settings in Florida public schools. The score is based on in-field program completers from the previous three-year period who received a student learning growth score from the most recent academic year.

~~(hh)(ff)~~ “Teacher preparation program” means a state-approved course of study, the completion of which signifies that the candidate has met all training and assessment requirements for initial certification to provide direct instructional services to P-12 students.

~~(gg)~~ “Ten (10) percent waiver” means that an initial teacher preparation program (ITP) may annually waive admission requirements specified in Section 1004.04(3)(b)1. 2., F.S., for up to ten (10%) percent of the students admitted in the academic year.

~~(ii)(hh)~~ “Two-year guarantee” means that an initial teacher preparation program (ITP) must provide assurance of the high

quality of its program completers during the first two (2) years immediately following completion of the program or following the initial certification of the program completer, whichever occurs first, as specified in Section 1004.04(4)(d), F.S.

~~(jj)(ii)~~ “Uniform Core Curricula” means the following for all state-approved teacher preparation programs, except as noted:

1. through 3. No change.

a. Candidates in prekindergarten-primary (age 3-Grade 3), elementary (K-6), and exceptional student education (K-12) certification programs shall be prepared in reading endorsement competencies one (1) through four (4). Candidates entering a teacher preparation program in the 2022-2023 academic year in a coverage area specified in Section 1012.585(3)(f), F.S., and identified in State Board Rule 6A-4.0051(7), F.A.C., shall be prepared in reading endorsement competencies one (1) through five (5).

b. Candidates in middle grades (5-9), secondary (6-12), and elementary and secondary coverage (K-12) certification programs shall be prepared in reading endorsement competencies one (1) and two (2). Candidates entering a teacher preparation program in the 2022-2023 academic year in a coverage area specified in Section 1012.585(3)(f), F.S., and identified in State Board Rule 6A-4.0051(7), F.A.C., shall be prepared in reading endorsement competencies one (1) through five (5).

c. ITP candidates in reading (K-12) certification programs shall be prepared in reading endorsement competencies one (1) through five (5).

4. through 8. No change.

9. Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge the referral of such student to a mental health professional for support.

10. Strategies to support the use of technology in education and distance learning.

(2) No change.

(3) Processes for initial approval of teacher preparation programs.

(a) No change.

(b) A provider shall submit an application by January 15, April 15, July 15, or October 15, using the Florida Department of Education Initial Program Approval Standards, Form IAS-2021~~2019~~.

(c) The Department shall conduct a review of the application submitted to the Department and notify the provider in writing of the following:

1. through 3. No Change.

a. An approval notice shall provide the program with an initial approval period of seven (7) years.

b. A denial notice shall identify the reason(s) for the denial and the deficiencies. A program that receives a denial may reapply for initial approval in accordance with this subsection.

(4) Reporting requirements for state-approved teacher preparation programs.

(a) State-approved teacher preparation programs shall report the following data to the Department:

1. through 3. No change.

4. All PDCP programs approved per Section 1012.56(8), F.S., must annually report via the Department’s eIPEP platform located at <https://www.florida-eipep.org/> program performance management data based on information provided by the program on the Florida Department of Education Initial Program Approval Standards Form IAS-~~2021~~2019.

(5) Requirements and processes for continued approval of teacher preparation programs.

(a) Continued approval entails requirements that are scored and requirements that are not scored. The requirements for continued approval that are not scored are as follows:

1. through 2. No change.

3. A provider has submitted the Florida Department of Education Continued Approval, Form CA-~~2021~~2019, during the last year of approval and at least sixty (60) days before a site visit; and,

4. Based upon the information provided on Continued Approval Form CA-~~2021~~2019, the provider demonstrates that it meets the following requirements:

a. through h. No change.

i. Any state-approved teacher preparation program approved per Section 1012.56(8), F.S., uses program performance management data to drive programmatic improvements based on information provided by the program on the Florida Department of Education Initial Program Approval Standards Form IAS-~~2021~~2019.

(b) The requirements for continued approval that are scored are the Annual Program Performance Report (APPR), Continued Approval Site Visit and Evidence of Programmatic Improvement.

(6) No change.

(7) Continued Approval Site Visit.

(a) No change.

(b) Each approved program provider identified either as a low-performing program as defined in paragraph (1)(r) of this rule for two (2) consecutive years or as at-risk of low-performing for three (3) consecutive years as defined in paragraph (1)(d) of this rule shall receive a site visit using the Florida Site Visit Framework, Form FSVF-~~2021~~2018, create an evidence-based improvement plan and submit annual evidence via the eIPEP platform in order to maintain state approval.

(c) through (d) No change.

(e) During the site visit, using the Florida Site Visit Framework, Form FSVF-~~2021~~2018, the program will be reviewed and scored to determine the extent to which the program:

1. Ensures that candidates and completers are prepared to instruct prekindergarten through grade 12 (p-12) students to meet high standards for academic achievement. (Review Area 2 on Form FSVF-~~2021~~2018)

2. Ensures high-quality field and clinical experiences, including feedback and support for each program candidate, and provides candidates with opportunities to demonstrate the ability to positively impact student learning growth. (Review Area 3 on Form FSVF-~~2021~~2018)

3. Supports continuous improvement that is sustained and evidence-based and that evaluates the effectiveness of its candidates and completers. (Review Area 4 on Form FSVF-~~2021~~2018)

(f) Each of the three site visit review areas found in subparagraphs (7)(d)1., 2. and 3., shall be scored. A score of one (1) indicates the review area is inadequate, a score of two (2) indicates the area is needs improvement ~~weak~~, a score of three (3) indicates the area is good, a score of four (4) indicates the area is strong.

(g) Prior to issuance of a final site visit report by the Department, a preliminary site visit report shall be provided to the provider in order to afford the provider the opportunity to provide clarifying information.

(8) through (11) No change.

(12) The following forms are hereby incorporated by reference and made a part of this rule. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Room 124, Tallahassee, FL 32399-0400.

(a) Florida Department of Education Initial Program Approval Standards, Form IAS-~~2021~~2019 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-44174>) effective November 2021 ~~October 2019~~.

(b) Florida Department of Education Continued Approval, Form CA-~~2021~~2019 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-44175>) effective November 2021 ~~October 2019~~.

(c) Florida Site Visit Framework, Form FSVF-~~2021~~2018, effective November 2021 ~~April 2018~~, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09268>).

Rulemaking Authority 1001.02, 1004.04, 1004.85, 1012.56 FS. Law Implemented 1004.04, 1004.85, 1012.56 FS. History—New 7-2-98, Amended 8-7-00, 3-19-06, 2-17-15, 1-1-18, 4-30-18, 10-24-19.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Abbey Stewart, Bureau Chief, Department of Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 2, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.02413 Civic Literacy Competency

PURPOSE AND EFFECT: Consistent with Senate Bill 1108 which passed during the 2021 legislative session, the proposed rule amendment will update the current rule to specify that both an assessment and a course are required to meet the civic literacy competency requirements. In addition to the list of currently approved assessments in rule, which are AP Government and Politics: United States, AP United States History and CLEP: American Government, the Florida Civic Literacy Examination will be added as a low-cost option. The amendment also specifies that high school students who take the U.S. Government course and pass the Florida Civic Literacy Examination will have met the postsecondary civic literacy assessment requirement. Additionally, the amendment specifies that students must be provided opportunities to engage synchronously in political discussions. Lastly, the amendment allows credit earned through articulated acceleration mechanisms to count toward the course requirement and the assessment requirement, if the assessment is identified in rule. All FCS institutions will be affected by the rule amendment. The effect of this amendment will require colleges to modify their policies, procedures, advising practices and catalogs regarding the new civic literacy requirements.

SUMMARY: Update the current rule to specify that both an assessment and a course are required to meet the civic literacy competency requirements. In addition to the list of currently approved assessments in rule, which are AP Government and Politics: United States, AP United States History and CLEP: American Government, the Florida Civic Literacy Examination will be added as a low-cost option. The amendment also specifies that high school students who take the U.S. Government course and pass the Florida Civic Literacy Examination will have met the postsecondary civic literacy assessment requirement. Additionally, the amendment specifies that students must be provided opportunities to engage synchronously in political discussions. Lastly, the amendment allows credit earned through articulated acceleration mechanisms to count toward the course requirement and the assessment requirement, if the assessment is identified in rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

In summary, the rule allows a method for students to meet the civic literacy requirement at no to low cost. Colleges may incur minor costs to update catalogs, advising resources, etc. associated with communicating the new requirements. The adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. and should not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), 1007.25(4), F.S.

LAW IMPLEMENTED: 1003.4282, 1007.25, F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Sfiropoulos, Ph.D., Director of Academic Affairs, Division of Florida Colleges, Mike.Sfiropoulos@fldoe.org or (850)245-9523.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.02413 Civic Literacy Competency

(1) Prior to the award of an associate in arts or baccalaureate degree, first-time-in-college students entering a Florida College System institution between ~~in~~ the 2018-19 to 2020-21 school year, ~~and thereafter~~ must demonstrate competency in civic literacy through one of the following options prior to graduation:

(a) ~~(1)~~ Successfully passing either POSX041 American Government or AMHX020 Introductory Survey Since 1877. Each of the courses must include the following competencies:

1. ~~(a)~~ Understanding of the basic principles and practices of American democracy and how they are applied in our republican form of government;

2. ~~(b)~~ An understanding of the United States Constitution and its application;

3. ~~(c)~~ Knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-government; and

4. ~~(d)~~ An understanding of landmark Supreme Court cases, landmark legislation and landmark executive actions and their impact on law and society.

(b) ~~(2)~~ Achieving the standard score on one of the following assessments:

Assessment	Standard Score
AP Government and Politics: United States	3
AP United States History	4
CLEP: American Government	50

(2) Prior to the award of an associate in arts or baccalaureate degree, students initially entering a Florida College System institution in the 2021-22 school year, and thereafter, must demonstrate competency in civic literacy by completing paragraphs (a) and (b) prior to graduation:

(a) Successfully passing either POSX041 American Government or AMHX020 Introductory Survey Since 1877. Each of the courses must include the following competencies:

1. Understanding of the basic principles and practices of American democracy and how they are applied in our republican form of government;

2. An understanding of the United States Constitution and its application;

3. Knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-government; and

4. An understanding of landmark Supreme Court cases, landmark legislation and landmark executive actions and their impact on law and society.

(b) Achieving the standard score on one of the following assessments:

<u>Assessment</u>	<u>Standard Score</u>
<u>AP Government and Politics: United States</u>	<u>3</u>
<u>AP United States History</u>	<u>4</u>
<u>CLEP: American Government</u>	<u>50</u>
<u>Florida Civic Literacy Examination</u>	<u>60</u>

(3) Beginning with the 2021-22 school year, Florida College System institutions must ensure they provide opportunities for students to engage synchronously in political discussions and civil debates with multiple points of view and to master the ability to synthesize information that informs civic decision making.

(4) Beginning with the 2021-22 school year, credit received by examination under Rule 6A-10.024(8), F.A.C., for courses listed in paragraph (2)(a) will count toward meeting the course requirement.

(5) Beginning with the 2021-22 school year, students who earned a passing score on the Florida Civic Literacy Examination while in high school are exempt from the postsecondary civic literacy assessment requirement.

Rulemaking Authority 1001.02(1), 1007.25(4) FS. Law Implemented 1007.25, 1003.4282 FS. History—New 6-19-18.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Sfiropoulos, Ph.D., Director of Academic Affairs, Division of Florida Colleges.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 2, 2021

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:

64B6-2.003 Licensure by Examination

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

SUMMARY: The proposed rule amendment is intended to update the language and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013, 456.017(1)(c), (6), 484.044, 484.0447 FS.

LAW IMPLEMENTED: 456.017(1)(c), (6), 484.045, 456.013, 456.0635, 484.0447 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 Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-2.003 Licensure by Examination.

Any person desiring to be licensed as a hearing aid specialist shall apply to the Department at least one hundred twenty (120) days prior to the date the examination is to be administered, ~~and by completing the Hearing Aid Specialist Application for Examination on Form DH-MQA 1155 (Revised 7/2021) hereby adopted and incorporated by reference, which can be obtained from~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-> ~~the Board of Hearing Aid Specialists' website at~~ <http://floridashearingaidspecialists.gov/applications/app-licensure-examination.pdf>. As a condition of licensure by examination, the following shall be completed:

(1) ~~The Board, or its designee, shall certify for examination each applicant who:~~

(a) ~~Has completed the Hearing Aid Specialist Application for Examination, Form DH-MQA 1155 (Revised 7/2020), hereby adopted and incorporated by reference, which can be obtained~~ ~~from~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-12592>, ~~the Board of Hearing Aid Specialists' website at~~ <http://floridashearingaidspecialists.gov/applications/app-licensure-examination.pdf>;

(b) ~~Is of good moral character;~~

(c) ~~Is 18 years of age or older;~~

(d) ~~Is a graduate of an accredited high school or at least its equivalent;~~

(e) ~~1. Has met the requirements of the training program, or~~

~~2.a. Has a valid, current license as a hearing aid specialist or its equivalent from another state and has been actively practicing in such capacity for at least 12 months, or~~

~~b. Is currently certified by the National Board for Certification in Hearing Instrument Sciences and has been actively practicing for at least 12 months; and,~~

(1) Has satisfied requirements as outlined in s.484.045, F.S. Licensure by Examination, and

(2) ~~(f)~~ Has submitted proof of completion of a two-hour course relating to Florida Laws and Rules taught by an

instructor approved by the Board or its designee and shall include the following subject areas: ~~Chapter 484, Part II, F.S., and Chapter 456, F.S., and division Chapter 64B6, F.A.C., and~~

(3) ~~(2)~~ Shall satisfy the examination requirement ~~The licensure examination~~ designated by the Board by completing ~~one of the following: shall be~~

(a) ~~The International Licensing Examination (I.L.E.) for the Hearing Instrument Dispenser (I.L.E. HD) Hearing Healthcare Professionals developed by the International Hearing Society, or for the International Institute for Hearing Instrument Studies (IHIS).~~

(b) The National Competency Examination (N.C.E.) from the National Board for Certification in Hearing Instrument Sciences (NBC-HIS).

(3) ~~A passing score on the licensure examination shall be the passing score approved by the International Institute for Hearing Instrument Studies (IHIS), using a generally-accepted standard setting methodology.~~

Rulemaking Authority 456.013, 456.017(1)(c), (6), 484.044, 484.0447 FS. Law Implemented 456.017(1)(c), (6), 484.045, 456.013, 456.0635, 484.0447 FS. History—New 8-9-84, Amended 1-20-85, Formerly 21JJ-4.01, 21JJ-4.001, Amended 12-21-86, 5-22-90, 3-5-91, Formerly 21JJ-2.003, Amended 8-18-93, 6-28-95, Formerly 61G9-2.003, Amended 1-24-02, 3-4-08, 5-28-09, 8-8-10, 10-26-16, 6-14-18, 1-12-21, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 23, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 3, 2021

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:

20-100.004 Official Forms Used by Agency

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 182, September 20, 2021 issue of the Florida Administrative Register.

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

DATE AND TIME: October 27, 2021, 9:00 a.m.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.127 Florida Assertive Community Treatment Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 129, July 6, 2021 issue of the Florida Administrative Register.

There are no changes to the rule text.

Following changes have been made to the Florida Medicaid Florida Assertive Community Treatment Services Coverage Policy, incorporated by reference in the rule text:

Section 1.0 Introduction, no change.

Section 2.0 Eligible Recipient.

Paragraph 2.1 General Criteria, no change.

Paragraph 2.2 Who Can Receive.

Subparagraph 2.2.1 FACT Recipient Eligibility Criteria: Diagnosis, no change.

Subparagraph 2.2.2 FACT Recipient Eligibility Criteria: Clinical Criteria, fifth bullet now reads:

- Referred from an inpatient detoxification unit with documented history of co-occurring disorders as specified in section 2.2.1

Subparagraph 2.2.3 FACT Recipient Eligibility Criteria: Clinical Characteristics, no change.

Paragraphs 2.3 through 2.4, no change.

Section 3.0 Eligible Provider.

Paragraph 3.1 General Criteria, no change.

Paragraph 3.2 Who Can Provide.

Subparagraphs 3.2.1 through 3.2.2, no change.

Subparagraph 3.2.3 Additional Provider Requirements, has been revised as follows:

Introductory sentence followed by bulleted list, no change.

Each FACT team must be supported by a FACT advisory committee ~~comprised of volunteer stakeholders to support, guide, and ensure the team's work maintains fidelity to the evidence-based Assertive Community Treatment (ACT) model. Details regarding implementation and operation of the advisory committee is as detailed available~~ in the DCF FACT Guidance document, incorporated by reference, and available on the DCF website at <https://www.myflfamilies.com>. FACT providers must maintain program fidelity in accordance with the DCF FACT Guidance document, and as assessed by the FACT team's advisory council.

Paragraph 3.3 Quality, has been removed.

Sections 4.0 through 7.0, no change.

Section 8.0 Reimbursement.

Paragraph 8.1 General Criteria, no change.

Paragraph 8.2 Specific Criteria, now reads:

The FACT team leader must be enrolled in Florida Medicaid. The team leader, or other qualified team member who is enrolled in Medicaid, and must be specified as the rendering provider on the claim form.

The billing provider on the claim is the enrolled Community Behavioral Health Center.

Paragraphs 8.3 through 8.5, no change.

Paragraph 8.6 Rate, now reads:

Florida Medicaid reimburses an all-inclusive per diem rate for recipients receiving FACT services.

Providers must verify that the recipient is Medicaid eligible for all dates covered on the claim.

Providers of FACT services must meet the following criteria when submitting claims for reimbursement:

- Providers may submit a claim for contact day(s) at the per diem rate.

- Providers may submit a claim for non-contact day(s) at the per diem rate if a recipient received at least one contact within that week (Sunday through Saturday).

- Providers may submit claims on a daily, weekly, or monthly basis.

For a schedule of rates, incorporated by reference in Rule 59G-4.002, F.A.C., visit the AHCA Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Technical edits, including punctuation, grammatical, reformatting, etc., have also been made to the Coverage Policy.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
64B6-7.002 Guidelines for Disposition of Disciplinary Cases

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 131, July 8, 2021 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rule 64B6-7.002, F.A.C. On July 23, 2021, the Board approved changes to the proposed rule language. The changes are as follows:

Substantial rewording of Rule 64B6-7.002 follows. See Florida Administrative Code for present text.

64B6-7.002 Guidelines for Disposition of Disciplinary Cases.

(1) Purpose. The Board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under chapter 484, F.S., or a telehealth provider registered under section 456.47(4), F.S. The

purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed and are also provided for repeat violations; multiple counts of the violated provisions or a combination of the violations may result in a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants, licensees, or trainees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants, licensees, or trainees from violations.

(2) Violations and Range of Penalties. For applicants, all violations are sufficient for refusal to certify an application for licensure. For licensees or trainees, the imposition of probation as a penalty shall ordinarily require compliance with conditions such as restitution, continuing education and/or training, indirect or direct supervision by a Board-approved monitor, restrictions on practice, submission of reports, appearances before the Board, and/or hours of community service. As appropriate, such conditions of probation also shall be required following any period of suspension. In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case. In imposing discipline pursuant to sections 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty as authorized by section 456.072(2), F.S., within the range corresponding to the violations set forth below. Pursuant to section 456.47, F.S., disciplinary guidelines for registered out-of-state telehealth providers may include suspension or revocation of the provider’s registration or the issuance of a reprimand or letter of concern. A suspension may be accompanied by a corrective action plan as determined by the board. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included:

(a) Section 484.056(1)(a), F.S.: Violating section 456.072(1), 484.0512, or 484.053, F.S.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$500 fine, restitution	\$1,500 fine, restitution, reprimand
<u>SECOND OFFENSE</u>	Reprimand and \$500 fine, restitution, 1 year probation	\$2,500 fine, restitution and 1 year suspension

<u>ADDITIONAL OFFENSES</u>	Reprimand and \$1,500 fine, restitution, 2 years probation	\$5,000 fine, restitution and revocation
<u>TELEHEALTH REGISTRANTS</u>		
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 6 month suspension, corrective action plan	Reprimand, 1 year suspension and corrective action plan
<u>SECOND OFFENSE</u>	Reprimand and 2 years suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Revocation	Revocation

(b) Section 484.056(1)(b) or 456.072(1)(h), F.S.: Attempting to obtain, obtaining, or renewing a license by bribery or fraudulent misrepresentation, or through an error of the board or department.

<u>Bribery</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, \$250 fine	\$1,000 fine, 1 year probation, or denial
<u>SECOND OFFENSE</u>	Reprimand, \$1,000 fine, 2 year suspension or denial	\$2,500 fine, 2 year suspension or denial
<u>ADDITIONAL OFFENSES</u>	Revocation or denial	Revocation or denial
<u>Fraudulent Misrepresentation</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, \$10,000 fine, 1 year probation	\$10,000 fine, 1 year probation
<u>SECOND OFFENSE</u>	Reprimand, \$10,000 fine, 1 year suspension	Revocation and \$10,000 fine
<u>ADDITIONAL OFFENSES</u>	Revocation and \$10,000 fine	Revocation and \$10,000 fine
<u>Error of the Department or Board</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Letter of concern	Revocation or denial
<u>SECOND OFFENSE</u>	Letter of concern	Revocation or denial

<u>ADDITIONAL OFFENSES</u>	<u>Letter of concern</u>	<u>Revocation or denial</u>
TELEHEALTH REGISTRANTS		
<u>Bribery</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and 6 month suspension</u>	<u>Revocation or denial</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension</u>	<u>Revocation or denial</u>
<u>ADDITIONAL OFFENSES</u>	<u>Revocation or denial</u>	<u>Revocation or denial</u>
<u>Fraudulent Misrepresentation</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, and 1 year suspension</u>	<u>Revocation or denial</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 2 year suspension</u>	<u>Revocation or denial</u>
<u>ADDITIONAL OFFENSES</u>	<u>Revocation or denial</u>	<u>Revocation or denial</u>
<u>Error of the Department or Board</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Revocation or denial</u>
<u>SECOND OFFENSE</u>	<u>Letter of concern</u>	<u>Revocation or denial</u>
<u>ADDITIONAL OFFENSES</u>	<u>Letter of concern</u>	<u>Revocation or denial</u>

(c) Section 484.056(1)(c) or 456.072(1)(f), F.S.: Having a license revoked, suspended, denied, or otherwise acted against.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Imposition of discipline comparable to the discipline that would have been imposed if the violation had occurred in Florida.</u>	<u>Revocation</u>
<u>SECOND & SUBSEQUENT OFFENSES</u>	<u>Action consistent with the disciplinary guidelines for a repeat offense had the violation</u>	<u>Revocation</u>

	<u>occurred in Florida.</u>	
TELEHEALTH REGISTRANTS		
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Imposition of discipline comparable to the discipline that would have been imposed if the violation had occurred in Florida.</u>	<u>Revocation</u>
<u>SECOND & SUBSEQUENT OFFENSES</u>	<u>Action consistent with the disciplinary guidelines for a repeat offense had the violation occurred in Florida.</u>	<u>Revocation</u>

(d) Section 484.056(1)(d) or 456.072(1)(c), F.S.: Being convicted or found guilty, or guilty or nolo plea, regardless of adjudication, of a crime related to the practice or ability to practice.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>Section 484.056(1)(d) or 456.072(1)(c), F.S. MISDEMEANOR</u>	<u>Reprimand and \$500 fine</u>	<u>\$2,500 fine and 1 year probation</u>
<u>Section 484.056(1)(d) or 456.072(1)(c), F.S. FELONY</u>	<u>Reprimand \$2,500 fine, 1 year probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>Section 825.102, F.S. related to abuse, aggravated abuse, and neglect of an elderly person or disabled adult.</u>	<u>Reprimand and \$5,000 fine, 2 years suspension</u>	<u>Revocation</u>
<u>Crimes related to fraud.</u>	<u>Reprimand and \$10,000 fine</u>	<u>\$10,000 fine, revocation</u>
TELEHEALTH REGISTRANTS		
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>Section 484.056(1)(d) or 456.072(1)(c), F.S. MISDEMEANOR</u>	<u>Reprimand and 6 month suspension</u>	<u>Revocation</u>

Section 484.056(1)(d) or 456.072(1)(c), F.S. <u>FELONY</u>	Reprimand and 1 year suspension	Revocation
Violation of law related to abuse, aggravated abuse, and neglect of an elderly person or disabled adult.	Reprimand and 2 years suspension	Revocation
Crimes related to fraud.	Revocation	Revocation

(e) Section 484.056(1)(e) or 456.072(1)(l), F.S.: Negligently filing a false report. Willful filing or impeding or inducing another to file a false report.

<u>Negligently Filing a False Report</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$500 fine	\$2,000 fine, 1 year probation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$1,000 fine	\$5,000 fine, 1 year suspension followed by probation

<u>Willful Filing or Impeding or Inducing Another to File a False Report</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$2,000 fine, 1 year probation	\$5,000 fine, 1 year suspension, followed by 6 month probation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand \$5,000 fine, 1 year suspension	\$10,000 fine, revocation

* If the violation is for fraud or knowingly making a false or fraudulent representation, the fine shall be \$10,000 per count or offense.

TELEHEALTH REGISTRANTS

<u>Negligently Filing a False Report</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 6 month suspension	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and 1 year suspension, corrective action plan	Revocation

<u>Willful Filing or Impeding or Inducing Another to File a False Report</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and 1 year suspension	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and 2 years suspension, corrective action plan	Revocation

(f) Section 484.056(1)(f) or 456.072(1)(m), F.S.: False/misleading advertisement or fraudulent representation.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine	\$5,000 fine, 1 year probation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$2,500 fine, 1 year probation	\$10,000 fine, revocation

* If the violation is for fraud or knowingly making a false or fraudulent representation, the fine shall be \$10,000 per count or offense.

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 1 year suspension	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and 2 years suspension, corrective action plan	Revocation

(g) Section 484.056(1)(g) or 456.072(1)(aa), F.S.: Fraud, deceit, negligence, incompetency, or misconduct in the practice.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine	\$5,000 fine, 1 year probation
<u>SECOND OFFENSE</u>	Reprimand and \$5,000, 1 year suspension	\$10,000 fine, revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand and \$10,000 and 2 years suspension	\$10,000 fine, revocation

* If the violation is for fraud or knowingly making a false or fraudulent representation, the fine shall be \$10,000 per count or offense.

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 1 year suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand, 2 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Revocation	Revocation

(h) Section 484.056(1)(h) or 456.072(1)(q), F.S.: Violating an order or failing to comply with subpoena.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, \$500 fine, compliance with prior order or subpoena	\$5,000 fine, suspension until compliance achieved with prior order or subpoena
<u>SECOND OFFENSE</u>	Reprimand, \$5,000 fine, suspension until compliance achieved with prior order or subpoena	\$10,000 fine, revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, suspension until compliance achieved with prior order or subpoena	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand, suspension until compliance achieved with prior order or subpoena	Revocation

(i) Section 484.056(1)(i) or 456.072(1)(o), F.S.: Practicing with a suspended, inactive, or delinquent license or beyond the scope permitted by law.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine	\$5,000 fine, 1 year probation

<u>SECOND OFFENSE</u>	Reprimand, \$5,000 fine, 6 months suspension, 1 year probation	\$10,000 fine, revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand, \$10,000 fine, 2 year suspension	\$10,000 fine, revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 6 months suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand, 1 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand, 2 years suspension, corrective action plan	Revocation

(j) Section 484.056(1)(j) or 456.072(1)(a), F.S.: Misleading advertising, guarantee, warranty, or representation.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine	\$5,000 fine, 1 year probation
<u>SECOND OFFENSE</u>	Reprimand and \$1,500 fine, 6 months suspension	\$7,500 fine, 1 year suspension
<u>ADDITIONAL OFFENSES</u>	Reprimand and \$10,000 fine, 1 year suspension	\$10,000 fine, revocation

* If the violation is for fraud or knowingly making a false or fraudulent representation, the fine shall be \$10,000 per count or offense.

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, corrective action plan	1 year suspension, corrective action plan, revocation
<u>SECOND OFFENSE</u>	Reprimand and 1 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand and 2 years suspension,	Revocation

	<u>corrective action plan</u>	
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(k) Section 484.056(1)(k), F.S.: Showing or delivering an unusable or impractical product.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$1,000 fine, restitution</u>	<u>\$5,000 fine, 1 year probation, restitution</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,500 fine, 6 months suspension, restitution</u>	<u>\$5,000 fine, 1 year suspension, and restitution</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand, \$5,000 fine, 1 year suspension, restitution</u>	<u>\$10,000, revocation, restitution</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 months suspension, restitution</u>	<u>Revocation, restitution</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, restitution</u>	<u>Revocation, restitution</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, restitution</u>	<u>Revocation, restitution</u>

(l) Section 484.056(1)(l), F.S.: Misrepresentation of services available or terms or titles.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$1,000 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,000 fine, 2 years probation</u>	<u>\$2,500 fine, 6 month suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$2,500 fine, 1 year suspension</u>	<u>\$ 5,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, and 6 months suspension</u>	<u>Revocation</u>

<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension</u>	<u>Revocation</u>

(m) Section 484.056(1)(m), F.S.: Less than full disclosure of guarantee.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500 fine, 2 years probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 month suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(n) Section 484.056(1)(n), F.S.: Bone conduction disclosure failures.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500 fine, 6 months probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500 fine, 1 year probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 months suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension,</u>	<u>Revocation</u>

	<u>corrective action plan</u>	
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(o) Section 484.056(1)(o), F.S.: Making prognostications as to hearing impairment.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500 fine, 2 years probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 1 year suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(p) Section 484.056(1)(p), F.S.: Implying that use of a hearing aid will improve or preserve hearing or retard impairment.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500 fine, 1 year probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 months suspension</u>	<u>Revocation</u>

<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(q) Section 484.056(1)(q), F.S.: Making any statement regarding cure or cause of an impairment by use of a hearing aid.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500 fine, 1 year probation</u>	<u>\$5,000 fine, 1 year of suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>\$5,000, 1 year suspension</u>	<u>\$10,000, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 months suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(r) Section 484.056(1)(r), F.S.: Representing aid is custom-made unless this is the case.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$2,500 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$500, 1 year probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
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<u>FIRST OFFENSE</u>	Reprimand, 6 months suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand and 1 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand and 2 years suspension, corrective action plan	Revocation

(s) Section 484.056(1)(s), F.S.: Canvassing house to house to sell aids.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Revocation	Revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Revocation	Revocation

(t) Section 484.056(1)(t), F.S.: Failing to submit proof of testing and calibration of equipment.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$500	\$1,500 fine, 1 year probation
<u>SECOND OFFENSE</u>	Reprimand and \$1,500 fine, month suspension	\$5,000 fine, 1 year suspension
<u>ADDITIONAL OFFENSES</u>	Reprimand and \$5,000 fine, 1 year suspension	\$10,000 fine, revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 6 month suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand and 1 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand and 2 years suspension, corrective action plan	Revocation

(u) Section 484.056(1)(u), F.S.: Failing to provide itemized listing of prices under Section 484.051(1), F.S..

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$250 fine, reprimand	\$1,500 fine, 1 year probation
<u>SECOND OFFENSE</u>	Reprimand and \$500 fine, 1 year of probation	\$5,000 fine, 1 year suspension
<u>ADDITIONAL OFFENSES</u>	Reprimand and \$5,000 fine, 1 year suspension	\$10,000 fine, revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand, 6 month suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand and 1 year suspension, corrective action plan	Revocation
<u>ADDITIONAL OFFENSES</u>	Reprimand and 2 years suspension, corrective action plan	Revocation

(v) Section 484.056(1)(v), 456.072(1)(n) or 456.072(1)(u), F.S.: Exercising influence for financial gain or for other misconduct.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine, restitution	\$5,000 fine, restitution, and 1 year probation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$5,000 fine, 1 year suspension, restitution	\$10,000 fine, restitution, revocation

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and 6 months suspension	Revocation
<u>SECOND OFFENSE</u>	Reprimand and 1 year suspension, corrective action plan	Revocation

(w) Section 484.056(1)(w), 456.072(1)(b), 456.072(1)(k) or 456.072(1)(cc), F.S.: Violating Chapter 484 or 456, F.S., or

any of the rules adopted thereunder or failing to perform a legal obligation.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Letter of concern and/ or a \$250 fine</u>	<u>\$1,000 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,000 fine, 1 year probation</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and 6 months suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSE</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(x) Section 456.072(1)(i), F.S.: Failing to report a violator.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$500 fine, reprimand</u>	<u>\$1,500 fine, 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,000 fine, 6 months suspension</u>	<u>\$5,000 fine, 1 year suspension</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$7,500 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 months suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>

<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>
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(y) Section 456.072(1)(j), F.S.: Aiding unlicensed person to practice.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$500 fine</u>	<u>\$5,000 fine, 3 months suspension, followed by 6 months probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,500 fine, 6 months suspension followed by 1 year probation</u>	<u>\$5,000 fine, 1 year suspension, followed by 1 year probation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$5,000 fine, 1 year suspension, followed by 1 year probation</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 month suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(z) Section 456.072(1)(p), F.S.: Delegating duties to unqualified person.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$500 fine</u>	<u>\$5,000 fine, 6 months suspension, followed by 1 year probation</u>

<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,500 fine, 6 months suspension, and 1 year probation</u>	<u>\$5,000 fine, 1 year suspension, followed by 2 year probation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$7,500 fine, 1 year suspension, followed by 1 year probation</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and 6 months suspension, corrective action plan</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand, and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(aa) Section 456.072(1)(r), F.S.: Interfering with investigation or proceeding.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$500 fine</u>	<u>\$5,000, 6 month suspension, followed by 1 year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and \$1,500 fine, 1 year of suspension followed by 1 year probation</u>	<u>\$5,000 fine, 1 year suspension, followed by 2 year probation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and \$7,500 fine, 1 year suspension, followed by 2 year probation</u>	<u>\$10,000 fine, revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
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<u>FIRST OFFENSE</u>	<u>Reprimand, 6 month suspension</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>
<u>ADDITIONAL OFFENSES</u>	<u>Reprimand and 2 years suspension, corrective action plan</u>	<u>Revocation</u>

(bb) Section 456.072(1)(w), F.S.: Failing to report criminal conviction.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$250 fine</u>	<u>\$1,500 fine, continuing education</u>
<u>SECOND & SUBSEQUENT OFFENSES</u>	<u>Reprimand and \$1,000 fine</u>	<u>\$7,500 fine, 1 year suspension</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand, 6 month suspension</u>	<u>Revocation</u>
<u>SECOND & SUBSEQUENT OFFENSES</u>	<u>Reprimand and 1 year suspension, corrective action plan</u>	<u>Revocation</u>

(cc) Section 456.072(1)(y), F.S.: Being unable to practice with reasonable skill and safety.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST & SUBSEQUENT OFFENSES</u>	<u>Suspension until PRN evaluation and required board appearance</u>	<u>Revocation</u>

TELEHEALTH REGISTRANTS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>

(dd) Section 456.072(1)(ii), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to a crime 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.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$5,000 fine	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$10,000 fine, 2 years suspension	\$10,000 fine, revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	Reprimand and 2 years suspension with corrective action plan	Revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Revocation	Revocation

(ee) Section 456.072(1)(jj), F.S.: Failing to return an overpayment from the Medicaid program.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$1,000 fine, reimbursement of Medicaid in full	\$5,000 fine, suspension until the Medicaid program is reimbursed in full
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$5,000 fine, suspension until the Medicaid program is reimbursed in full	\$10,000 fine, revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST & SUBSEQUENT OFFENSES</u>	Reprimand and suspension until the Medicaid program is reimbursed in full	Revocation and requirement that Medicaid program be reimbursed in full

(ff) Section 456.072(1)(kk), F.S.: Being terminated from the state Medicaid program pursuant to Section 409.913, F.S..

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>IF NOT TERMINATED</u>	Reprimand and fine \$1,000 fine	Fine of \$5,000, 6 months

<u>FOR CAUSE, FIRST OFFENSE</u>	and/or 6 months probation	suspension, followed by 1 year probation
<u>IF TERMINATED FOR CAUSE OR SECOND & SUBSEQUENT OFFENSES</u>	Revocation and \$10,000 fine	Revocation and \$10,000
<u>TELEHEALTH REGISTRANTS</u>		
<u>IF NOT TERMINATED FOR CAUSE, FIRST OFFENSE</u>	Reprimand and 6 months suspension with corrective action plan	Revocation
<u>IF TERMINATED FOR CAUSE OR SECOND & SUBSEQUENT OFFENSES</u>	Revocation	Revocation

(gg) Section 456.072(1)(ll), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to a crime related to health care fraud.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	Reprimand and \$10,000 fine, 1 year suspension	\$10,000 fine, revocation
<u>SECOND & SUBSEQUENT OFFENSES</u>	Reprimand and \$10,000 fine, 2 years suspension	\$10,000 fine, revocation
<u>FELONY Chapter 409, Chapter 817, 21 U.S.C. ss. 801-907, or 42 U.S.C. ss.1395-1396</u>	Reprimand and \$10,000 fine, revocation	\$10,000 fine, revocation
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST & SUBSEQUENT OFFENSES</u>	Revocation	Revocation
<u>FELONY Chapter 409, Chapter 817, 21 U.S.C. ss. 801-907, or 42 U.S.C. ss.1395-1396</u>	Revocation	Revocation

(hh) Providing information, including written documentation, indicating that a person’s need for an emotional support animal under s.760.27, F.S., without personal knowledge of the person’s disability or disability-related need for the specific emotional support animal. (Section 456.072(1)(pp), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and \$5,000 fine, 6 months suspension</u>	<u>\$10,000 fine, 1 year suspension</u>
<u>SECOND OR SUBSEQUENT OFFENSE</u>	<u>Reprimand and \$5,000 fine, 1 year suspension</u>	<u>\$10,000 fine, revocation</u>
<u>TELEHEALTH REGISTRANTS</u>		
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and 1 year suspension with corrective action plan</u>	<u>Revocation</u>
<u>Second or Subsequent Offense</u>	<u>Reprimand and 2 year suspension with corrective action plan</u>	<u>Revocation</u>

(ii) Failure to comply with the parental consent requirements of Section 1014.06. (Section 456.072(1)(rr), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and fine of \$250</u>	<u>\$500 fine and one (1) year probation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand, \$500 fine and one (1) year of probation</u>	<u>Revocation.</u>
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Reprimand</u>	<u>Suspension and a corrective action plan.</u>
<u>SECOND OFFENSE</u>	<u>Reprimand, Suspension and a corrective action plan</u>	<u>Revocation.</u>

(jj) Being convicted or found guilty of, entering a plea of guilty or nolo contendere to, or committing or attempting, soliciting, or conspiring to commit an act that would constitute a violation of any of the offenses listed in Section 456.074(5) or (456.072(ss), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Revocation</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Revocation</u>	<u>Revocation.</u>

(kk) Failure to display hyperlink on telehealth registrant’s website. (Section 456.47(4)(c), (F.S.)

<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern</u>	<u>Suspension until compliant and a corrective action plan</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and suspension until compliant, and a corrective action plan</u>	<u>Revocation</u>

(ll) Failing to notify the board of restrictions placed on his or her license to practice, or any disciplinary action taken or pending against him or her, in any state or jurisdiction within 5 business days after the restriction is placed or disciplinary action is initiated or taken. (Section 456.47(4)(d), F.S.)

<u>TELEHEALTH REGISTRANTS</u>		
<u>FIRST OFFENSE</u>	<u>Letter of Concern to suspension and a corrective action plan</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and suspension, and a corrective action plan</u>	<u>Revocation</u>

(mm) Opening an office in Florida or providing in-person healthcare services to patients in Florida. (Section 456.74(4)(f), F.S.)

<u>TELEHEALTH REGISTRANTS</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Reprimand and suspension until compliant and a corrective action plan</u>	<u>Revocation</u>
<u>SECOND OFFENSE</u>	<u>Reprimand and 1 year suspension until compliant and corrective action plan to revocation of denial</u>	<u>Revocation</u>

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating factors the following:

- (a) Exposure of patient or public to injury or potential injury, physical or otherwise;
- (b) Legal status at the time of the offense: no restraints, or legal constraints;
- (c) The number of counts or separate offenses established;
- (d) Actions taken by the licensee to correct the violation or to remedy complaints;
- (e) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice;
- (f) Pecuniary benefit or self-gain inuring to the applicant or licensee;
- (g) Negligent actions resulting in financial harm to the patient;
- (h) Vulnerability of the patient due to age or disability.

(4) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

(5) Notices of Noncompliance and Letters of Guidance. The provisions of this rule cannot and shall not be construed to limit the authority of the probable cause panel of the Board or the Department to send a notice of noncompliance or a letter of guidance pursuant to Sections 456.073(3) and (4), F.S., in any case for which it finds such action appropriate.

(6) Other Action. The provisions of this rule are not intended to and shall not be construed to limit the ability of the Board to pursue or recommend that the Department pursue collateral civil or criminal actions when appropriate.

Rulemaking Authority 456.079, 456.47(7) FS. Law Implemented 456.079, 456.47, 760.27 FS. History—New 2-11-87, Amended 2-16-89, Formerly 21JJ-7.005, Amended 8-18-93, 9-22-94, Formerly 61G9-7.005, Amended 11-11-02, 6-23-10, 10-21-12.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3257.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

RULE NO.: 12ER21-17
 RULE TITLE: Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 51 of Chapter 2021-31, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the Strong Families Tax Credit program, which provides that a taxpayer may receive a credit against certain taxes for making an eligible contribution to an eligible charitable organization designated by the Department of Children and Families. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for earning a tax credit allocation, as well as the means by which a tax credit or tax credit allocation may be carried forward, transferred, or rescinded.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to administer the provisions related to the Strong Families Tax Credit created by Chapter 2021-31, Laws of Florida. Additionally, emergency rules are the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 211.0253, 212.1834, 220.1877, 402.62, 561.1213, and 624.51057, F.S. (Sections 16, 24, 33, 38, 40, and 42 of Chapter 2021-31, L.O.F., respectively).

SUMMARY: The rule describes the taxpayers eligible to participate in the program, the application process to receive an allocation of credit, the notifications issued by the Department of Revenue related to the program, how the credit may be taken against certain taxes, how a credit may be carried forward or transferred, and how a credit allocation may be rescinded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-17 Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment.

(1) Definitions. For purpose of this rule, the following terms mean:

(a) “Affiliated group of corporations” is given the same meaning as the definition provided in Section 220.03(1)(b), F.S.

(b) “Contribution” or “eligible contribution” means a monetary contribution from a taxpayer to an eligible charitable organization.

(c) “Credit allocation” means an allocation to a taxpayer of an annual tax credit cap authorized under the Strong Families Tax Credit.

(d) “Department” means the Florida Department of Revenue.

(e) “Division” means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(f) “Eligible charitable organization” means an organization designated by the Department of Children and Families to be eligible to receive funding under Section 402.62, F.S.

(g) “State fiscal year” means the annual period beginning July 1 through June 30 of the following year.

(h) “Tax credit cap” means the maximum annual tax credit amount that the Department is authorized by Section 402.62, F.S., to allocate.

(2) Taxpayers eligible to participate in the program. Taxpayers who pay any of the following taxes may apply to the Department for a credit allocation:

(a) For the taxes administered by the Department:

1. Florida corporate income tax imposed under Chapter 220, F.S.

2. Florida insurance premium tax imposed under Section 624.509, F.S.

3. Florida state sales and use tax self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit, issued by the Department, as provided in Section 212.183, F.S., and Rule 12A-1.0911, F.A.C.

4. Florida oil production tax imposed under Section 211.02, F.S., or Florida gas production tax imposed under Section 211.025, F.S.

(b) For excise taxes administered by the Division:

1. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

2. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or,

3. Excise tax on malt beverages imposed under Section 563.05, F.S.

(3) Applications for credit allocations.

(a) To apply for an allocation of the available program credits, a taxpayer must submit Strong Families Tax Credit – Application for Tax Credit Allocation for Contributions to Eligible Charitable Organizations (Form DR-226000, incorporated by reference in Rule 12ER21-18, F.A.C.) to the Department.

1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply online using the Department’s website. When the application is completed and submitted online, a confirmation number will be provided with the date and time of submission.

2. The fastest and easiest way to apply for an allocation is online at floridarevenue.com/taxes/multitaxcredits. Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., may also apply by submitting a paper application with the Department.

(b) A separate application to receive a credit allocation is required for:

1. Each eligible charitable organization the taxpayer intends to support; and,

2. Each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

3. Each tax credit cap year.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that begins during that calendar year. The application must be submitted before the date the taxpayer is required to file its corporate income/franchise tax return for that tax year pursuant to Section 220.222, F.S., including a valid extended due date.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2022-2023 state fiscal year credit beginning on January 3, 2022. The application must be submitted before May 1, 2023; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before November 1, 2023.

b. Example: A taxpayer with a tax year beginning December 1, 2022, and ending November 30, 2023, may apply for a credit allocation for the 2022-2023 state fiscal year credit beginning on January 3, 2022. The application must be submitted before April 1, 2024; however, if the due date of the

taxpayer's corporate income/franchise tax return is validly extended, the application may be submitted before October 1, 2024.

2. Insurance Premium Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year and before the due date of the insurance premium taxes and fees return, which is March 1 following the taxable year. Example: For the 2022-2023 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 3, 2022. The application must be made on or before February 28, 2023.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation on the first business day of January of the calendar year preceding the state fiscal year beginning on July 1 of the calendar year. The application must be made by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit allocation for the 2022-2023 state fiscal year, taxpayers may apply for a credit allocation beginning on January 3, 2022. The application must be made on or before June 30, 2023.

(d) The Department will accept applications until either the tax credit cap is reached or until the end of the state fiscal year for sales and use tax, the tax on oil and gas production, and the excise taxes on liquor, wine, and malt beverages; until on or before the day the taxpayer's insurance premium tax return is due; or until the day before the due date of the taxpayer's corporate income/franchise tax return for corporate income tax, whichever occurs first.

(4) Notification.

(a) The Department will approve credit allocations on a first-come, first-served basis. Following receipt of an application, the Department will send written correspondence regarding the amount of the credit allocation for each tax applied for, or the reason the credit allocation could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the credit allocation before the Department will issue such correspondence.

(b) When the Department is not able to approve an application, a letter explaining the reason for the denial will be mailed to the taxpayer. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S. The Department will reserve the denied amount of the allocation for the taxpayer during the protest period.

(c) When approved, the Department's approval letter will specify the period in which the contribution to the designated eligible charitable organization must be made. Contributions must be made during the period specified in the approval letter. The eligible charitable organization receiving a contribution will issue the taxpayer a certificate of contribution signed by an

authorized representative of the eligible charitable organization containing:

1. Contributor's name;
2. Contributor's federal identification number;
3. Contributor's license number issued by the Division, if applicable;
4. Amount of contribution;
5. Date of contribution; and,
6. Name of the eligible charitable organization.

(d) The amount of tax credit claimed on a tax return is limited to the amount of contribution contained in the certificate of contribution issued by the eligible charitable organization. The taxpayer must make the contribution before the credit is claimed on a tax return.

(e) No tax credit will be allowed when a taxpayer:

1. Fails to make the designated contribution;
2. Fails to make a contribution before claiming the tax credit on a tax return;
3. Claims the credit against tax due prior to the date the contribution is made;
4. Makes a contribution to an ineligible charitable organization; or
5. Makes the contribution outside the period specified in the Department's approval letter.

(f) When a charitable organization is unable to accept the taxpayer's contribution, or a part of the contribution, because of its obligations under the Strong Families Tax Credit program, the taxpayer may make a contribution or partial contribution to another eligible charitable organization. The eligible charitable organization unable to accept the taxpayer's contribution must provide a written statement to the taxpayer declining the contribution. The taxpayer is required to keep the written statement with its books and records.

(5) Tax Credits.

(a)1. Corporate Income Tax – A tax credit of 100 percent of the contribution against any corporate income tax due for the tax year is allowed. The amount of the tax credit for a tax year:

a. Is taken in the order of the credits provided against the corporate income tax in Section 220.02(8), F.S.

b. Must be reduced by the difference in federal corporate income tax due computed with the credit and without the credit.

c. Must be added back to taxable income in determining Florida corporate income tax due. If the amount of a credit taken under Section 220.1877, F.S., is added to federal taxable income on the Florida corporate income/franchise tax return in a previous tax year and is taken as a deduction for federal tax purposes in the current tax year, the amount of the federal deduction is not required to be added to federal taxable income on the Florida corporate income/franchise tax return in the current year. This provision ensures that the amount of the credit taken under Section 220.1877, F.S., is added to federal

taxable income in the applicable tax year and does not result in a duplicate addition in a subsequent tax year.

d. Is revoked and rescinded when a taxpayer applies for a credit allocation after timely requesting an extension of time in which to file its Florida corporate income/franchise tax return and fails to remit sufficient tentative tax, such that its extension is not valid under Sections 220.222 and 220.32, F.S.

2. Taxpayers must attach a copy of the certificate of contribution from the eligible charitable organization to the Florida corporate income/franchise tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

a. Assessments made pursuant to Section 440.51, F.S. (workers' compensation administrative assessments);

b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters' and police officers' pension trust funds); and,

c. Credits for income taxes paid under Chapter 220, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation).

2. The tax credit allowed against insurance premium tax due is taken directly after the salary tax credit under Section 624.509(5), F.S.

3. Taxpayers must attach a copy of the certificate of contribution from the eligible charitable organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(c)1. Sales and Use Tax – A tax credit of 100 percent of the contribution is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from the eligible charitable organization to:

Florida Department of Revenue
Revenue Accounting
P.O. Box 6609
Tallahassee, FL 32314-6609

b. Following receipt of the copy of the certificate, the Department will send written instructions on how to claim the credit allocation as a tax credit on a sales and use tax return remitted to the Department by electronic means.

(d)1. Tax on Oil and Gas Production – A tax credit of 100 percent of the contribution is allowed against any tax due on oil

or gas production in Florida imposed under Sections 211.02 and 211.025, F.S.

2. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken. If a taxpayer has earned tax credits under Section 1002.395, F.S. (Florida Tax Credit Scholarship Program), Section 402.62, F.S. (Strong Families Tax Credit), and Section 1003.485, F.S. (The New Worlds Reading Initiative), the credit under Section 1002.395, F.S., will be applied first; the credit under Section 402.62, F.S., will be applied second; and the credit under Section 1003.485, F.S., will be applied third, as applicable, until the 50 percent limit is reached.

3. Taxpayers must attach a copy of the certificate of contribution from the eligible charitable organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(e)1. Excise Tax on Liquor, Wine, and Malt Beverages – A tax credit of 100 percent of the contribution is allowed against the following taxes administered by the Division.

a. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

b. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or

c. Excise tax on malt beverages imposed under Section 563.05, F.S.

2. The tax credit taken on a return filed with the Division is limited to 90 percent of the tax due on the return. Taxpayers must attach a copy of the certificate of contribution from the eligible charitable organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(f) Contributions to the eligible charitable organization are not payments of estimated tax or installment payments of tax. However, credits earned for contributions to the eligible charitable organization for corporate income tax or insurance premium tax will be taken into account when determining the estimated payment amounts required to meet the prior year exceptions for each tax. Cross reference: Rules 12C-1.034 and 12B-8.001, F.A.C.

(6) Carryforward of unused credits.

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the approval letter, because the taxpayer's liability is insufficient, the taxpayer may carry forward the unused tax credit amount for a period not to exceed ten years.

(b) Examples.

1. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the tax year ending December 31, 2022. Any unused carryforward from its tax year ending

December 31, 2022, expires on the due date pursuant to Section 220.222, F.S., for the Florida corporate income/franchise tax return for the taxable year ending December 31, 2032.

2. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2022. Any unused carryforward from its tax year ending December 31, 2022, expires on December 31, 2032.

3. Sales and Use Tax Example – A taxpayer who holds a Sales and Use Tax Direct Pay Permit applied for and was approved for a credit allocation against sales and use tax due to the Department for the state fiscal year 2022-2023. The taxpayer paid the contribution to the eligible charitable organization on July 13, 2022, and submitted a copy of the certificate of contribution received from the eligible charitable organization to the Department. The taxpayer's state tax liability in accordance with the Permit was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30, 2023. Any unused carryforward from the 2022-2023 state fiscal year expires June 30, 2033.

4. Tax on Oil and Gas Production – The same application periods and credit carryforward periods that apply to a sales and use tax credit allocation apply to a credit allocation against the tax on oil and gas production.

5. Excise Taxes on Liquor, Wine, and Malt Beverages Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year 2022-2023. The taxpayer's liability was insufficient to use the entire credit allocation during that state fiscal year. Any unused carryforward from the 2022-2023 state fiscal year expires June 30, 2033.

(7) Transfers of unused tax credits.

(a) A taxpayer may not convey, assign, or transfer a credit allocation or tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, the following credit allocations or tax credits may be transferred between members of the same affiliated group of corporations:

1. A tax credit allocation for which a contribution has not been made to the eligible charitable organization by the transferring member. The receiving member must make a contribution to the eligible charitable organization during the same period that the transferring member was required to make the contribution. In addition, the contribution must be made before the receiving member may claim the tax credit.

2. A tax credit allocation for which a contribution has been made to the eligible charitable organization by the transferring member, but the tax credit has not been claimed on a tax return.

3. A carryforward tax credit amount that has not been claimed on a tax return.

(b) A transferred credit allocation or tax credit may only be used against the same tax as the original credit allocation or tax credit approved by the Department.

(c) A transferred tax credit may only be taken by the receiving member of the affiliated group during the same period that the transferring member was approved to take the credit.

(d) A transferred carryforward amount may only be taken as a tax credit during the same time period as the transferring member was authorized to take the carryforward tax credit amount.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its affiliated group by submitting Strong Families Tax Credit – Notice of Intent to Transfer a Tax Credit (Form DR-226200, incorporated by reference in Rule 12ER21-18, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to:

Florida Department of Revenue
Revenue Accounting
P.O. Box 6609
Tallahassee, FL 32314-6609

(f) The Department must approve the application for transfer of the unused credit allocation or tax credit before the receiving member may claim the tax credit on a tax return. For excise tax on liquor, wine, and malt beverages, the Division must also approve the transfer before the receiving member may claim the tax credit on a tax return.

(g) Following receipt of an application, the Department will send written correspondence approving the transfer or providing the reason the transfer could not be approved. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

(h) If the transfer is approved, a copy of the approval letter will be sent to both the transferring member and the receiving member. The approval letter will include instructions on how the receiving member may claim the tax credit on a tax return.

(8) Rescindment of unused tax credits.

(a) The rescindment provision allows credit allocations that will not be used by the taxpayer to be reallocated to other taxpayers who may use the credit allocation. Taxpayers must apply online using the Department's website at floridarevenue.com/taxes/multitaxcredits or submit Strong Families Tax Credit – Application for Rescindment of Previous Allocation of Tax Credit (Form DR-226100, incorporated by reference in Rule 12ER21-18, F.A.C.) to the Department to rescind all or a portion of an unused credit allocation. See

paragraph (3)(a) for submitting the application to the Department.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. The amount of credit allocation requested to be rescinded has been claimed as a credit on a previously filed return; or

2. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on October 1 of the third year following the January 1 opening of the allocation period, regardless of whether the annual tax credit cap has been reached. For example, the allocation period beginning January 1, 2022, for the state fiscal year beginning July 1, 2022, closes for all taxpayers on October 1, 2024.

(c) Following receipt of an application, the Department will send written correspondence regarding the amount of the rescindment, or the reason rescindment could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the rescindment before the Department will issue such correspondence. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

(d) When the approval of a rescindment allows the tax credit cap for a state fiscal year to be reopened and available for allocation, the Department will notify the eligible charitable organization that the tax credit cap is available for allocation.

Rulemaking Authority Section 51 of Chapter 2021-31, L.O.F. Law Implemented 211.0253, 212.1834, 220.1877, 402.62, 561.1213, 624.51057 FS. History—New 10-1-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 10/01/2021

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:

12ER21-18 Strong Families Tax Credit; Applications.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 51 of Chapter 2021-31, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the Strong Families Tax Credit program, which provides that a taxpayer may receive a credit against certain taxes for making an eligible contribution to an eligible charitable organization designated by the Department of Children and Families. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for earning a tax credit allocation, as well as the means by which a tax credit or tax credit allocation may be carried forward, transferred, or rescinded.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to administer the provisions related to the Strong Families Tax Credit created by Chapter 2021-31, Laws of Florida. Additionally, emergency rules are the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 211.0253, 212.1834, 220.1877, 402.62, 561.1213, and 624.51057, F.S. (Sections 16, 24, 33, 38, 40, and 42 of Chapter 2021-31, L.O.F., respectively).

SUMMARY: Emergency Rule 12ER21-18 is created to incorporate three forms used in the administration of the Strong Families Tax Credit program. These forms describe the taxpayers eligible to participate in the program, the application process to receive an allocation of credit, the notifications issued by the Department of Revenue related to the program, how the credit may be taken against certain taxes, how a credit may be carried forward or transferred, and how a credit allocation may be rescinded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-18 Strong Families Tax Credit; Applications.

(1)(a) The following application forms and instructions are used by the Department in its administration of the Strong Families Tax Credit. These forms are hereby incorporated by reference in this rule.

(b) Copies of the application forms and instructions are available, without cost, by one or more of the following methods: 1) downloading the application from the Department’s website at floridarevenue.com/forms; or, 2) calling the Department at (850)488-6800, Monday through Friday, (excluding holidays); or, 3) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
<u>(2)(a)</u> <u>DR-</u> <u>226000</u>	<u>Strong Families Tax Credit – Application for Credit Allocation for Contributions to an Eligible Charitable Organization</u>	<u>10/21</u>
<u>(b)</u> <u>DR-</u> <u>226100</u>	<u>Strong Families Tax Credit – Application for Rescindment of Previous Allocation of Tax Credit</u>	<u>10/21</u>

(c) Strong Families Tax 10/21
 DR- Credit – Notice of Intent to
 226200 Transfer a Tax Credit

Rulemaking Authority Section 51 of Chapter 2021-31, L.O.F. Law Implemented 211.0253, 212.1834, 220.1877, 402.62, 561.1213, 624.51057 FS. History–New 10-1-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
 EFFECTIVE DATE: 10/01/2021

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
 12ER21-19 The New Worlds Reading Initiative;
 Participation; Allocation; Carryforward;
 Transfer; Rescindment.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 12 of Chapter 2021-193, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the New Worlds Reading Initiative, which provides that a taxpayer may receive a credit against certain taxes for making an eligible contribution to the administrator of the initiative designated by the Department of Education. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for earning a tax credit allocation, as well as the means by which a tax credit or tax credit allocation may be carried forward, transferred, or rescinded.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to administer the provisions related to the New Worlds Reading Initiative created by Chapter 2021-193, Laws of Florida. Additionally, emergency rules are the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 211.0252, 212.1833, 220.1876, 561.1212, 624.51056, and 1003.485, F.S. (Sections 2, 3, 7, 8, 9, and 10 of Chapter 2021-193, L.O.F. respectively).

SUMMARY: The rule describes the taxpayers eligible to participate in the program, the application process to receive an allocation of credit, the notifications issued by the Department of Revenue related to the program, how the credit may be taken against certain taxes, how a credit may be carried forward or transferred, and how a credit allocation may be rescinded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-19 The New Worlds Reading Initiative; Participation; Allocation; Carryforward; Transfer; Rescindment.

(1) Definitions. For purpose of this rule, the following terms mean:

(a) “Administrator” means a state university registered with the Department of Education under Section 1002.395(15)(i), F.S., and designated to administer the New Worlds Reading Initiative.

(b) “Affiliated group of corporations” is given the same meaning as the definition provided in Section 220.03(1)(b), F.S.

(c) “Contribution” or “eligible contribution” means a monetary contribution from a taxpayer to the administrator.

(d) “Credit allocation” means an allocation to a taxpayer of an annual tax credit cap authorized under the New Worlds Reading Initiative.

(e) “Department” means the Florida Department of Revenue.

(f) “Division” means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(g) “State fiscal year” means the annual period beginning July 1 through June 30 of the following year.

(h) “Tax credit cap” means the maximum annual tax credit amount that the Department is authorized by Section 1003.485, F.S., to allocate.

(2) Taxpayers eligible to participate in the program. Taxpayers who pay any of the following taxes may apply to the Department for a credit allocation:

(a) For the taxes administered by the Department:

1. Florida corporate income tax imposed under Chapter 220, F.S.

2. Florida insurance premium tax imposed under Section 624.509, F.S.

3. Florida state sales and use tax self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit, issued by the Department, as provided in Section 212.183, F.S., and Rule 12A-1.0911, F.A.C.

4. Florida oil production tax imposed under Section 211.02, F.S., or Florida gas production tax imposed under Section 211.025, F.S.

(b) For excise taxes administered by the Division:

1. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

2. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or,

3. Excise tax on malt beverages imposed under Section 563.05, F.S.

(3) Applications for credit allocations.

(a) To apply for an allocation of the available program credits, taxpayers must submit The New Worlds Reading Initiative – Application for Tax Credit Allocation for Contributions to the Administrator (Form DR-336000, incorporated by reference in Rule 12ER21-20, F.A.C.) to the Department.

1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply online using the Department’s website. When the application is completed and submitted online, a confirmation number will be provided with the date and time of submission.

2. The fastest and easiest way to apply for an allocation is online at floridarevenue.com/taxes/multitaxcredits. Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., may also apply by submitting a paper application with the Department.

(b) A separate application to receive a credit allocation is required for:

1. Each administrator the taxpayer intends to support; and,
2. Each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.
3. Each tax credit cap year.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that begins during that calendar year. The application must be submitted before the date the taxpayer is required to file its corporate income/franchise tax return for that tax year pursuant to Section 220.222, F.S., including a valid extended due date.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2022-2023 state fiscal year credit beginning on January 3, 2022. The application must be submitted before May 1, 2023; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before November 1, 2023.

b. Example: A taxpayer with a tax year beginning December 1, 2022, and ending November 30, 2023, may apply for a credit allocation for the 2022-2023 state fiscal year credit beginning on January 3, 2022. The application must be submitted before April 1, 2024; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly

extended, the application may be submitted before October 1, 2024.

2. Insurance Premium Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year and before the due date of the insurance premium taxes and fees return, which is March 1 following the taxable year. Example: For the 2022-2023 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 3, 2022. The application must be made on or before February 28, 2023.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation on the first business day of January of the calendar year preceding the state fiscal year beginning on July 1 of the calendar year. The application must be made by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit allocation for the 2022-2023 state fiscal year, taxpayers may apply for a credit allocation beginning on January 3, 2022. The application must be made on or before June 30, 2023.

(d) The Department will accept applications until either the tax credit cap is reached or until the end of the state fiscal year for sales and use tax, the tax on oil and gas production, and the excise taxes on liquor, wine, and malt beverages; until on or before the day the taxpayer’s insurance premium tax return is due; or until the day before the due date of the taxpayer’s corporate income/franchise tax return for corporate income tax, whichever occurs first.

(4) Notification.

(a) The Department will approve credit allocations on a first-come, first-served basis. Following receipt of an application, the Department will send written correspondence regarding the amount of the credit allocation for each tax applied for, or the reason the credit allocation could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the credit allocation before the Department will issue such correspondence.

(b) When the Department is not able to approve an application, a letter explaining the reason for the denial will be mailed to the taxpayer. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S. The Department will reserve the denied amount of the allocation for the taxpayer during the protest period.

(c) When approved, the Department’s approval letter will specify the period in which the contribution to the designated administrator must be made. Contributions must be made during the period specified in the approval letter. The administrator receiving a contribution will issue the taxpayer a certificate of contribution signed by an authorized representative of the administrator containing:

1. Contributor’s name;

- 2. Contributor’s federal identification number;
- 3. Contributor’s license number issued by the Division, if applicable;
- 4. Amount of contribution;
- 5. Date of contribution; and,
- 6. Name of the administrator.

(d) The amount of tax credit claimed on a tax return is limited to the amount of contribution contained in the certificate of contribution issued by the administrator. The taxpayer must make the contribution before the credit is claimed on a tax return.

(e) No tax credit will be allowed when a taxpayer:

- 1. Fails to make the designated contribution;
- 2. Fails to make a contribution before claiming the tax credit on a tax return;
- 3. Claims the credit against tax due prior to the date the contribution is made; or
- 4. Makes the contribution outside the period specified in the Department’s approval letter.

(5) Tax Credits.

(a)1. Corporate Income Tax – A tax credit of 100 percent of the contribution against any corporate income tax due for the tax year is allowed. The amount of the tax credit for a tax year:

- a. Is taken in the order of the credits provided against the corporate income tax in Section 220.02(8), F.S.
- b. Must be reduced by the difference in federal corporate income tax due computed with the credit and without the credit.
- c. Must be added back to taxable income in determining Florida corporate income tax due. If the amount of a credit taken under Section 220.1876, F.S., is added to federal taxable income on the Florida corporate income/franchise tax return in a previous tax year and is taken as a deduction for federal tax purposes in the current tax year, the amount of the federal deduction is not required to be added to federal taxable income on the Florida corporate income/franchise tax return in the current year. This provision ensures that the amount of the credit taken under Section 220.1876, F.S., is added to federal taxable income in the applicable tax year and does not result in a duplicate addition in a subsequent tax year.

d. Is revoked and rescinded when a taxpayer applies for a credit allocation after timely requesting an extension of time in which to file its Florida corporate income/franchise tax return and fails to remit sufficient tentative tax, such that its extension is not valid under Sections 220.222 and 220.32, F.S.

2. Taxpayers must attach a copy of the certificate of contribution from the administrator to the Florida corporate income/franchise tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The

amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

- a. Assessments made pursuant to Section 440.51, F.S. (workers’ compensation administrative assessments);
- b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters’ and police officers’ pension trust funds); and,
- c. Credits for income taxes paid under Chapter 220, F.S., and the salary credit allowed under section 624.509(5), F.S., as these are limited by section 624.509(6), F.S. (the 65 percent limitation).

2. The tax credit allowed against insurance premium tax due is taken directly after the salary tax credit under Section 624.509(5), F.S.

3. Taxpayers must attach a copy of the certificate of contribution from the administrator to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(c)1. Sales and Use Tax – A tax credit of 100 percent of the contribution is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from the administrator to:
Florida Department of Revenue
Revenue Accounting
P.O. Box 6609
Tallahassee, FL 32314-6609

b. Following receipt of the copy of the certificate, the Department will send written instructions on how to claim the credit allocation as a tax credit on a sales and use tax return remitted to the Department by electronic means.

(d)1. Tax on Oil and Gas Production – A tax credit of 100 percent of the contribution is allowed against any tax due on oil or gas production in Florida imposed under Sections 211.02 and 211.025, F.S.

2. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken. If a taxpayer has earned tax credits under Section 1002.395, F.S. (Florida Tax Credit Scholarship Program), Section 402.62, F.S. (Strong Families Tax Credit), and Section 1003.485, F.S. (The New Worlds Reading Initiative), the credit under Section 1002.395, F.S., will be applied first; the credit under Section 402.62, F.S., will be applied second; and the credit under Section 1003.485, L.O.F., will be applied third, as applicable, until the 50 percent limit is reached.

3. Taxpayers must attach a copy of the certificate of contribution from the administrator to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(e)1. Excise Tax on Liquor, Wine, and Malt Beverages – A tax credit of 100 percent of the contribution is allowed against the following taxes administered by the Division.

a. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

b. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or

c. Excise tax on malt beverages imposed under Section 563.05, F.S.

2. The tax credit taken on a return filed with the Division is limited to 90 percent of the tax due on the return. Taxpayers must attach a copy of the certificate of contribution from the administrator to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(f) Contributions to the administrator are not payments of estimated tax or installment payments of tax. However, credits earned for contributions to the administrator for corporate income tax or insurance premium tax will be taken into account when determining the estimated payment amounts required to meet the prior year exceptions for each tax. Cross reference: Rules 12C-1.034 and 12B-8.001, F.A.C.

(6) Carryforward of unused credits.

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the approval letter, because the taxpayer's liability is insufficient, the taxpayer may carry forward the unused tax credit amount for a period not to exceed ten years.

(b) Examples.

1. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the tax year ending December 31, 2022. Any unused carryforward from its tax year ending December 31, 2022, expires on the due date pursuant to Section 220.222, F.S., for the Florida corporate income/franchise tax return for the taxable year ending December 31, 2032.

2. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2022. Any unused carryforward from its tax year ending December 31, 2022, expires on December 31, 2032.

3. Sales and Use Tax Example – A taxpayer who holds a Sales and Use Tax Direct Pay Permit applied for and was approved for a credit allocation against sales and use tax due to the Department for the state fiscal year 2022-2023. The taxpayer paid the contribution to the administrator on July 13, 2022, and submitted a copy of the certificate of contribution received from the administrator to the Department. The taxpayer's state tax liability in accordance with the Permit was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30,

2023. Any unused carryforward from the 2022-2023 state fiscal year expires June 30, 2033.

4. Tax on Oil and Gas Production – The same application periods and credit carryforward periods that apply to a sales and use tax credit allocation apply to a credit allocation against the tax on oil and gas production.

5. Excise Taxes on Liquor, Wine, and Malt Beverages Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year 2022-2023. The taxpayer's liability was insufficient to use the entire credit allocation during that state fiscal year. Any unused carryforward from the 2022-2023 state fiscal year expires June 30, 2033.

(7) Transfers of unused tax credits.

(a) A taxpayer may not convey, assign, or transfer a credit allocation or tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, the following credit allocations or tax credits may be transferred between members of the same affiliated group of corporations:

1. A tax credit allocation for which a contribution has not been made to the administrator by the transferring member. The receiving member must make a contribution to the administrator during the same period that the transferring member was required to make the contribution. In addition, the contribution must be made before the receiving member may claim the tax credit.

2. A tax credit allocation for which a contribution has been made to the administrator by the transferring member, but the tax credit has not been claimed on a tax return.

3. A carryforward tax credit amount that has not been claimed on a tax return.

(b) A transferred credit allocation or tax credit may only be used against the same tax as the original credit allocation or tax credit approved by the Department.

(c) A transferred tax credit may only be taken by the receiving member of the affiliated group during the same period that the transferring member was approved to take the credit.

(d) A transferred carryforward amount may only be taken as a tax credit during the same time period as the transferring member was authorized to take the carryforward tax credit amount.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its affiliated group by submitting The New Worlds Reading Initiative – Notice of Intent to Transfer a Tax Credit (Form DR-336200, incorporated by reference in Rule 12ER21-20, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to:

Florida Department of Revenue
Revenue Accounting
P.O. Box 6609
Tallahassee, FL 32314-6609

(f) The Department must approve the application for transfer of the unused credit allocation or tax credit before the receiving member may claim the tax credit on a tax return. For excise tax on liquor, wine, and malt beverages, the Division must also approve the transfer before the receiving member may claim the tax credit on a tax return.

(g) Following receipt of an application, the Department will send written correspondence approving the transfer or providing the reason the transfer could not be approved. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

(h) If the transfer is approved, a copy of the approval letter will be sent to both the transferring member and the receiving member. The approval letter will include instructions on how the receiving member may claim the tax credit on a tax return.

(8) Rescindment of unused tax credits.

(a) The rescindment provision allows credit allocations that will not be used by the taxpayer to be reallocated to other taxpayers who may use the credit allocation. Taxpayers must apply online using the Department’s website at www.floridarevenue.com or submit The New Worlds Reading Initiative – Application for Rescindment of Previous Allocation of Tax Credit (Form DR-336100, incorporated by reference in Rule 12ER21-20, F.A.C.) to the Department to rescind all or a portion of an unused credit allocation. See paragraph (3)(a) for submitting the application to the Department.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. The amount of credit allocation requested to be rescinded has been claimed as a credit on a previously filed return; or

2. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on October 1 of the third year following the January 1 opening of the allocation period, regardless of whether the annual tax credit cap has been reached. For example, the allocation period beginning January 1, 2022, for the state fiscal year beginning July 1, 2022, closes for all taxpayers on October 1, 2024.

(c) Following receipt of an application, the Department will send written correspondence regarding the amount of the rescindment, or the reason rescindment could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the rescindment before the Department will issue

such correspondence. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

(d) When the approval of a rescindment allows the tax credit cap for a state fiscal year to be reopened and available for allocation, the Department will notify the administrator that the tax credit cap is available for allocation.

Rulemaking Authority Section 12 of Chapter 2021-193, L.O.F. Law Implemented 211.0252, 212.1833, 220.1876, 561.1212, 624.51056, 1003.485 FS. History–New 10-1-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 10/01/2021

DEPARTMENT OF REVENUE

RULE NO.: 12ER21-20
 RULE TITLE: The New Worlds Reading Initiative; Applications.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 12 of Chapter 2021-193, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the New Worlds Reading Initiative, which provides that a taxpayer may receive a credit against certain taxes for making an eligible contribution to the administrator of the initiative designated by the Department of Education. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for earning a tax credit allocation, as well as the means by which a tax credit or tax credit allocation may be carried forward, transferred, or rescinded.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to administer the provisions related to the New Worlds Reading Initiative created by Chapter 2021-193, Laws of Florida. Additionally, emergency rules are the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 211.0252, 212.1833, 220.1876, 561.1212, 624.51056, and 1003.485, F.S. (Sections 2, 3, 7, 8, 9, and 10 of Chapter 2021-193, L.O.F. respectively).

SUMMARY: Emergency Rule 12ER21-20 is created to incorporate three forms used in the administration of the New Worlds Reading Initiative. These forms describe the taxpayers eligible to participate in the program, the application process to receive an allocation of credit, the notifications issued by the Department of Revenue related to the program, how the credit may be taken against certain taxes, how a credit may be carried forward or transferred, and how a credit allocation may be rescinded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-20 The New Worlds Reading Initiative; Applications.

(1)(a) The following application forms and instructions are used by the Department in its administration of the New Worlds Reading Initiative. These forms are hereby incorporated by reference in this rule.

(b) Copies of the application forms and instructions are available, without cost, by one or more of the following methods: 1) downloading the application from the Department’s website at floridarevenue.com/forms; or, 2) calling the Department at (850)488-6800, Monday through Friday, (excluding holidays); or, 3) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
<u>(2)(a) DR-336000</u>	<u>The New Worlds Reading Initiative – Application for Tax Credit Allocation for Contributions to the Administrator</u>	<u>10/21</u>
<u>(b) DR-336100</u>	<u>The New Worlds Reading Initiative – Application for Rescindment of Previous Allocation of Tax Credit</u>	<u>10/21</u>
<u>(c) DR-336200</u>	<u>The New Worlds Reading Initiative – Notice of Intent to Transfer a Tax Credit</u>	<u>10/21</u>

Rulemaking Authority Section 12 of Chapter 2021-193, L.O.F. Law Implemented 211.0252, 212.1833, 220.1876, 561.1212, 624.51056, 1003.485 FS. History–New 10-1-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 10/01/2021

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 20, 2021, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from University of Florida at 680 Broward Drive, Gainesville, FL, filed July 12, 2021, and advertised on July 14, 2021, in Vol. 47, No. 135, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rules 2.7.6.3.4 and 2.26.2.29, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires inspecting and servicing the governor outside the hoistway and provision of an overspeed device because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that the Petitioner would suffer a substantial hardship if required to comply with this rule (VW2021-112).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of a Notice of Intent to Grant Petition regarding the Petition for Waiver or Variance, filed on June 25, 2021, by Gina Paola Jimenez. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 133, of the July 12, 2021, Florida Administrative Register. Petitioner sought a permanent waiver or variance from the requirements of paragraph 61H1-28.0052(1)(b), F.A.C., requesting in part an extension of 14 days beyond the 18-months provided by rule to allow her the benefit of the rule extension provision. The Board considered the instant Petition at a duly-noticed public meeting, held on August 6, 2021, in Tampa, Florida. The Board’s Notice, filed on September 2, 2021, granted Petitioner’s petition. The Board found that Petitioner had established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida

32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Message Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on May 25, 2021, by Kim McCauley. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 102, of the May 26, 2021, Florida Administrative Register. Petitioner sought a waiver of subsection 64B7-28.009(4), F.A.C. However, it appears that Petitioner is requesting a variance or waiver from subsection 64B7-28.009(5), F.A.C., regarding continuing education must be completed with an approved provider. The Board considered the instant Petition at a duly-noticed public meeting held on July 9, 2021. The Board’s Notice was filed on September 8, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 64B7-28.009(5), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to petitioner’s circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: kama.monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Message Therapy hereby gives notice: of the issuance of an Order regarding the Petition for Variance and Waiver, filed on May 25, 2021, by Claudia Phillips. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 102, of the May 26, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), F.A.C. entitled “Required Continuing Education for Massage Therapists,” which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant

Petition at a duly-noticed public meeting held on July 9, 2021. Between the time the petition was filed and the July 2021 meeting, Petitioner voluntarily relinquished her massage therapy license. The Board’s Order, filed on September 3, 2021, dismissed the petition finding it is now moot.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: kama.monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-32.002 Proof of Graduation

The Board of Message Therapy hereby gives notice: of the issuance of a Notice on Petition for Variance and Waiver, filed on July 23, 2021, by Susan Denise Stolberg. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 150, of the August 4, 2021 Florida Administrative Register. Petitioner sought a waiver of Rule 64B7-32.002, F.A.C., which relates to the education necessary for massage therapy licensure in Florida. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board’s Notice was filed on September 2, 2021. Petitioner supplied additional records showing she met the educational requirements, consequently the Petition is not necessary and is Moot. The testing requirement is statutory and cannot be waived. However, with the presentation of information showing Petitioner meets the education criteria, Petitioner is approved to take the MBLEx.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: kama.monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: September 30, 2021, 10:00 a.m. – 11:00 a.m.

PLACE: Phone Number: 1(888)585-9008; Participant Code: 578563758

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General meeting to discuss business.

A copy of the agenda may be obtained by contacting: Ricardo Alvarez, Cell (850)766-8583, Ricardo.Alvarez@fdacs.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Ricardo Alvarez, Cell (850)766-8583, Ricardo.Alvarez@fdacs.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ricardo Alvarez, Cell (850)766-8583, Ricardo.Alvarez@fdacs.gov.

DEPARTMENT OF EDUCATION

University of Florida

The Hinkley Center for sol announces a telephone conference call to which all persons are invited.

DATES AND TIMES: May 5, 2022, 9:00 a.m. – 4 00 p.m.; May 6, 2022, 9:00 a.m. – 4:00 p.m.

PLACE: Zoom Meeting online

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Selection of Research Projects to be funded.

A copy of the agenda may be obtained by contacting: John Schert at jschert@ufl.edu or by calling (352)339-2010.

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 1 hours before the workshop/meeting by contacting: John Schert at jschert@ufl.edu or by calling (352)339-2010. 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: John Schert at jschert@ufl.edu or by calling (352)339-2010.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, September 30, 2021, 3:00 p.m.

PLACE: Department of Transportation Burns Building, Room 572, 605 Suwannee Street, Tallahassee, FL; Teleconference Number: (850)739-5589, Participant Passcode: 474857067 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed Strategic Port Investment Initiative projects.

A copy of the agenda may be obtained by contacting: Daniel Hubbard, State Seaport Program Coordinator, Department of Transportation 605 Suwannee Street, Tallahassee, FL 32399, daniel.hubbard@dot.state.fl.us.

A copy of the workshop materials can be downloaded from: <https://www.fdot.gov/seaport/publications.shtm>.

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: Daniel Hubbard, State Seaport Program Coordinator, Department of Transportation 605 Suwannee Street, Tallahassee, FL 32399, daniel.hubbard@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 24, 2021, 1:00 p.m. ET

PLACE: This public meeting will be conducted via webinar. Please register for Validation Meeting at <https://attendee.gotowebinar.com/register/7631445643859336460>, WEBINAR ID: 418-024-427

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Negotiation Team will recommend contract award for Invitation to Negotiate, ITN 21-02, Banking Services for the Stanley G. Tate Florida Prepaid College (Prepaid) Program and the Florida 529 Savings (Savings) Program.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, ITN Administrator by email at ITNinfo.Prepaid@MyFloridaPrepaid.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: The Florida Prepaid College Board, ITN Administrator by email at ITNinfo.Prepaid@MyFloridaPrepaid.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).

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

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

DATE AND TIME: October 7, 2021, 10:00 a.m., Board of Directors meeting

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting

A copy of the agenda may be obtained by contacting: (904)279-0880.

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 business days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Thursday, September 30, 2021, 10:00 a.m., Water Resources Accountability and Collaboration (WRAC), Public Forum

PLACE: This meeting will be conducted via Zoom, a media technology free for the public to use. https://sfwmd.gov.zoom.us/webinar/register/WN_5UvRUTN3QK6s8A32J7TFcQ

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Forum of the Water Resources Accountability and Collaboration (WRAC) on water resource issues impacting South Florida. Presenters will provide an overview and summary of algae impacts for the summer of 2021 and the District's response.

The public and stakeholders will have an opportunity to view and comment on the meeting by utilizing the following link: [https://sfwmd-](https://sfwmd.gov.zoom.us/webinar/register/WN_5UvRUTN3QK6s8A32J7TFcQ)

[gov.zoom.us/webinar/register/WN_5UvRUTN3QK6s8A32J7TFcQ](https://sfwmd.gov.zoom.us/webinar/register/WN_5UvRUTN3QK6s8A32J7TFcQ) This link can also be found on the District's website at www.SFWMD.gov/meetings, and will go live at approximately 10:00 a.m. on September 30, 2021.

All of this meeting will be conducted via media technology. One or more members of the Governing Board of the South

Florida Water Management District may attend and participate in this meeting. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla at ybonilla@sfwmd.gov, or at <https://www.sfwmd.gov/news-events/meetings>, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Yvette Bonilla at ybonilla@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 6, 2021, 10:00 a.m. Eastern Time

PLACE: Hybrid meeting format allows participation in person and virtually.

In-person location at: Tampa Bay Water Infrastructure and Emergency Management Building – Magnolia Room, 8865 Pump Station Road, Land O'Lakes, FL 34639.

Join virtual meeting connection from your computer, tablet, or smartphone

at: <https://global.gotomeeting.com/join/137627693>. You can also dial in using your phone: United States (Toll Free): 1(877)309-2073, Access Code: 137-627-693.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The IHM-INTB Steering Committee will conduct a public meeting to finalize their recommendations for the IHM-INTB Five Year Roadmap. The roadmap includes recommended activities over a five-year time span that support the Integrated Hydrologic Model (IHM), the Integrated Northern Tampa Bay (INTB) model, and user support for both models. A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2021, 9:00 a.m.

PLACE: Hilton Garden Inn - Boca Raton, 8201 Congress Avenue, Boca Raton, Florida 33487, Telephone (561)988-6110

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business - including disciplinary cases, application reviews, rules, reports, and profession discussion items.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Education Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2021, 8:00 a.m.

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free) 1(866)899-4679, meeting ID/access code: 533-378-925.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review pending accreditor applications for recommendation to the Commission. Review pending advanced accredited courses for recommendation to the Commission.

Other committee business on the agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 4, 2021, 8:30 a.m. ET

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via videoconference, or in person. To attend via videoconference,

utilize <https://attendee.gotowebinar.com/register/8445630703962385420>

open the GoToWebinar app and enter Webinar ID: 776-084-195

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board - topics include, but are not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, F.A.C. rule amendments, budget discussions, education issues, petitions for declaratory statement, petitions for rule variance/waiver, applications and disciplinary actions. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: DREAppraisalSection@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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: Division of Real Estate, (407)481-5662.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Resources

RULE NO.: RULE TITLE:

62-6.004 Application for System Construction Permit

The Florida Department of Environmental Protection announces public meetings to which all persons are invited.

DATE AND TIME: Thursday, October 7, 2021, 9:00 a.m.

PLACE: GoToWebinar:

<https://attendee.gotowebinar.com/register/3771552899566532623>

DATE AND TIME: Thursday, November 4, 2021, 9:00 a.m.

PLACE: GoToWebinar:

<https://attendee.gotowebinar.com/register/2375984571872327951>

DATE AND TIME: Thursday, December 2, 2021, 9:00 a.m.

PLACE: GoToWebinar:

<https://attendee.gotowebinar.com/register/3164254144638904847>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating the webinar links for the Onsite Sewage Treatment and Disposal Systems Variance Committee public meetings noticed in the Florida Administrative Register on July 22, 2021, volume 47 issue 141. The webinars are for the remaining scheduled Onsite Sewage Treatment and Disposal Systems Variance Committee Meetings in 2021. All persons are invited to join the virtual meeting. After registering, participants will receive a confirmation email containing information about joining the Webinar.

The meetings will examine applications for variance from the requirements of Chapter 62-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to paragraph 381.0065(3)(d), Florida Statutes.

A copy of the agenda may be obtained by contacting: Seven days prior to each meeting date, contact in writing, Ed

Williams, Environmental Consultant, Division of Water Resource Management, Onsite Sewage Program, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Ed Williams at (850)245-4070. 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).

Subsection 286.0105, Florida Statutes, provides that, 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: Ed Williams, Environmental Consultant, Division of Water Resource Management, Onsite Sewage Program, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of State Lands

The DEPARTMENT OF ENVIRONMENTAL PROTECTION announces a public meeting to which all persons are invited.

DATE AND TIME: October 8, 2021, 9:00 a.m. ET

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room 137, 3900 Commonwealth Blvd, Tallahassee, FL 32399

Or via webinar: Registration link: <https://attendee.gotowebinar.com/register/3430540467900406285>

After registering, you will receive a confirmation email containing information about joining the webinar.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition and Restoration Council (ARC), as defined in Section 259.035, F.S., announces a public meeting to which all persons are invited. The purpose of this meeting is for ARC to conduct regular business that includes reviewing land management plans, and other proposed uses of state-owned conservation lands and take public testimony on new Florida Forever project proposals as well as existing land acquisition projects.

A copy of the agenda may be obtained by contacting: Shauna R. Allen with the Division of State Lands at Shauna.R.Allen@FloridaDEP.gov, or by visiting the Department of Environmental Protection website beginning September 29, 2021, at

<https://floridadep.gov/lands/environmental-services/content/acquisition-and-restoration-council-arc>.

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: Shauna Allen with the Office of Environmental Services at (850) 245-2713 or email: shauna.r.allen@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: October 7, 2021, 9:00 a.m. ET

PLACE: 1(888)585-9008, Participant Code: 599196982(#)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (850)245-4474.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy, Joint Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 1, 2021, 12:30 p.m. ET

PLACE: 1(888)585-9008, Participant Code: 599-196-982(#)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Joint Rules Committee.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: (850)245-4474. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (850)245-4474.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: September 29, 2021, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, Call (850)988-5144, and enter phone conference ID: 858 258 410#.

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

A copy of the agenda may be obtained by contacting: The Reemployment Assistance Appeals Commission at RAAC.Inquiries@deo.myflorida.com.

SPECIAL COVID-19 CONSIDERATIONS: As the Governor of the State of Florida and Leon County have declared a state of emergency due to the COVID-19 Pandemic, the Commission must limit the manner in which the public may participate; accordingly, no member of the public may attend in person. Any interested person who would like to attend telephonically should call (850)988-5144 and enter phone conference ID: 858 258 410#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission at (850)487-2685 or RAAC.Inquiries@deo.myflorida.com.

EMERGENCY CANCELLATION OF MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.raac.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: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685. RAAC.Inquiries@deo.myflorida.com.

Gulf Consortium

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

DATE AND TIME: September 23, 2021, 12:00 Noon ET

PLACE: PGA National Resort, 400 Ave of the Champions, Palm Beach Gardens, FL 33418, Room: British C

Dial-in Number: (571)317-3116, Participant Passcode: 250-490-805

Interested persons may attend the meeting in person at the above-described location. In lieu of attending the meeting in person, interested persons may also participate in the meeting remotely via telephone, utilizing the contact information described above.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Consortium will conduct a Board of Directors meeting, consisting of a SEP Amendment update, status of grant applications, and other business at the discretion of the Board.

A copy of the agenda may be obtained by contacting: www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

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

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

For more information, you may contact: www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

Florida Independent Living Council

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 29, 2021, 12:00 Noon – 1:00 p.m., PUBLIC MEETING

PLACE: To register for this event: <https://tinyurl.com/wcted27s>

GENERAL SUBJECT MATTER TO BE CONSIDERED: CIL in Central Florida will host a public meeting where the Florida Independent Living Council, Inc. will gather input on the existing State Plan for Independent Living (SPIL). The meeting is open to individuals with disabilities and other stakeholders in

Florida. Interpreters will be available. Persons who want to be notified of such meetings may submit a request by contacting the Florida Independent Living Council, Inc., 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308, (850)488-5624 or Toll Free 1(877)822-1993 or email info@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow five business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

The Valerin Group, Inc.

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

DATES AND TIMES: Tuesday, September 28, 2021, 5:00 p.m. – 6:30 p.m.; Wednesday, September 29, 5:30 p.m. – 7:30 p.m.

PLACE: Please use the following link to register for the Tuesday, September 28, online session: https://fdot.cc/Jupiter_Bridge_VPM_Registration. You may also call in at: 1(866)952-8437 Access code: 760-767-358

In-person on Wednesday, September 29: Jupiter Community Center, 200 Military Trail, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 428400-2-52-01 & 443867-1-52-01

Project Description: US 1 Bridge Replacement Project from CR A1A to CR 707 in Palm Beach County, FL.

The project consists of replacing the US 1 Bridge (Bridge No. 930562) over the Loxahatchee River in the Town of Jupiter. Other improvements include installing Intelligent Transportation System technology, adding decorative lighting and drainage, upgrading signage and pavement markings, constructing intersection improvements and making minor repairs to the Alternate A1A bridge over the Loxahatchee River.

Construction will begin in September 2021 and is estimated to be completed in early 2026. The estimated construction cost is \$122 million.

The Hybrid Construction Open House will be held virtually and in person. The online session will be held from 5:00 p.m. – 6:30 p.m. on Tuesday, September 28, with a brief presentation followed by questions and comments from the public. The in-person session will be held from 5:30 p.m. – 7:30 p.m. on Wednesday, September 29, and will have an informal open

house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Bodler Barthelemy, P.E., FDOT Project Manager, at (561)370-1127 or by email at bodler.barthelemy@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: NA Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Bodler Barthelemy, P.E., FDOT Project Manager, at (561)370-1127 or by email at bodler.barthelemy@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Angel Streeter Gardner, Community Outreach Specialist, at (561)886-8773 or by email at angel@valerin-group.com.

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:

MARINE INDUSTRIES ASSOCIATION OF PALM BEACH COUNTY, INC., Petitioner, vs. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION; Respondent. CASE NO.: 21-001662; RULE NO.: 68D-21.001

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

INVITATION TO BID FFS 21 22 12

the Florida Department of Agriculture and Consumer Services seeks to obtain sealed bids FOR THE CONSTRUCTION OF THE NEW ADMINISTRATION BUILDING: BUNNELL DISTRICT CENTER, 5002 US HWY 1, BUNNELL, FLORIDA 323110.

Solicitation document: The solicitation document is available at the MyFloridaMarketPlace Vendor Bid System, http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

Solicitation Number ITB FFS 21 22 12. Interested participants may also contact the purchasing department at BIDS@FDACS.gov or by calling (850)617-7180.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP RFP 2022004 Statewide Waste Disposal Services

The Florida Department of Environmental Protection is requesting Proposals for Statewide Waste Disposal Services.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu

BBICMINC

IF21103 – Microbiology Re-Roof & Exhaust Fan Replacement – Phase 2

BBI Construction Management, Inc. will be accepting bids for subcontractor participation on the IF21103 – Microbiology Re-Roof & Exhaust Fan Replacement – Phase 2, University of Florida, Gainesville, Florida for the following bid packages:

- 05: Structural Steel
- 07: Roofing
- 23: HVAC
- 26A: Electrical
- 26B: Lightning Protection

MANDATORY PRE-BID MEETING: Mandatory pre-bid meeting for Bid Packages 07& 23 will be held Tuesday, September 28, 2021, 10:00 a.m. at the University of Florida Microbiology & Cell Science Research Building (#0981), East Entrance, 1355 Museum Dr., Gainesville, FL 32603. All other trades are strongly encouraged to attend.

PRE-BID RFI'S: All pre-bid RFI's must be submitted to BBI Construction Management Inc. by Monday, October 4, 2021, 3:00 p.m.

To obtain bidding documents, pre-qualification information, and directions, please email BBI Construction Management, Jeremy Criscione at criscionej@bbi-cm.com or (352)338-2073. Bids exceeding \$75,000 must be sealed and either MAIL or HAND DELIVERED to: BBI Construction Management, Inc., 4639 NW 53rd Avenue, Gainesville, Florida 32653. BIDS DUE NO LATER THAN Wednesday, October 13 2021, 2:00 p.m. The University of Florida and BBI is committed to Small/HUB Zone/Minority/Small Disadvantaged/Veteran/Service-Disabled Veteran/& Women-Owned businesses and encourages their participation. The University of Florida and BBI Construction Management, Inc. reserves the right to reject any bid if considered to be in best interest of the project. Compliance with UF Purchasing guidelines is required.

**Miami-Dade County Internal Services Department
Develop, Maintain, and Operate the Rickenbacker and Venetian Causeways**

Miami-Dade County has received an unsolicited proposal and is soliciting proposals for the same project purpose to enter into an Interim Agreement and one or more subsequent Project/Concession Agreements to design, permit, construct/build, finance, manage, operate, repair and maintain the Rickenbacker and Venetian Causeways of Miami, Florida together with associated recreational elements along the Rickenbacker Causeway including greenways and beaches. The Project construction completion timeline for the Rickenbacker Causeway, including associated recreational elements, greenways and beaches, is estimated at four years and for the

Venetian Causeway is estimated at seven years, from the execution of the Project/Concession Agreement.

The County anticipates applying for federal funding for this Project. This project is subject to all the requirements of the federal agency providing the funds, inclusive of Federal Highway Administration (FHWA) or any contract that is part of a Local Agency Program (LAP) Agreement and any and all applicable Disadvantaged Business Enterprise (DBE) goals for design, architectural and engineering, construction, and goods and services.

The solicitation, which is available starting August 15, 2021, can be obtained at no cost on-line at <https://www.bidsync.com/DPX?ac=view&auc=2077415>. For assistance with obtaining the solicitation, contact vendor support at vendorsupport@bidsync.com or by calling 1(800)990-9339. Deadline for submission of proposals is December 13, 2021, 6:00 p.m. (local time) through www.BidSync.com. This solicitation is subject to the County's Cone of Silence Ordinance.

**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., Tuesday, September 14, 2021 and 3:00 p.m., Monday, September 20, 2021.

Rule No.	File Date	Effective Date
5B-65.001	9/17/2021	10/7/2021
5B-65.002	9/17/2021	10/7/2021
5B-65.003	9/17/2021	10/7/2021
5B-65.004	9/17/2021	10/7/2021
5B-65.005	9/17/2021	10/7/2021
5B-66.001	9/17/2021	10/7/2021
5B-66.002	9/17/2021	10/7/2021
5B-66.003	9/17/2021	10/7/2021
5B-66.004	9/17/2021	10/7/2021
5B-66.005	9/17/2021	10/7/2021
5B-66.006	9/17/2021	10/7/2021
6M-4.630	9/13/2021	10/3/2021

6M-4.720	9/13/2021	10/3/2021
20-49.001	9/14/2021	10/4/2021
20-49.002	9/14/2021	10/4/2021
20-49.003	9/14/2021	10/4/2021
20-49.004	9/14/2021	10/4/2021
20-49.005	9/14/2021	10/4/2021
20-49.0051	9/14/2021	10/4/2021
20-49.006	9/14/2021	10/4/2021
20-49.0061	9/14/2021	10/4/2021
20-49.007	9/14/2021	10/4/2021
20-49.0071	9/14/2021	10/4/2021
20-49.008	9/14/2021	10/4/2021
20-49.009	9/14/2021	10/4/2021
20-94.001	9/14/2021	10/4/2021
20-94.002	9/14/2021	10/4/2021
20-94.003	9/14/2021	10/4/2021
20-94.004	9/14/2021	10/4/2021
20-94.005	9/14/2021	10/4/2021
20-94.006	9/14/2021	10/4/2021
20-94.007	9/14/2021	10/4/2021
20-110.004	9/13/2021	10/3/2021
20-110.005	9/13/2021	10/3/2021
42-2.014	9/16/2021	10/6/2021
53ER21-49	9/16/2021	9/16/2021
53ER21-50	9/16/2021	9/16/2021
53ER21-51	9/16/2021	9/16/2021
53ER21-52	9/16/2021	9/16/2021
59A-35.110	9/14/2021	10/4/2021
59A-36.002	9/17/2021	10/7/2021
59A-36.006	9/17/2021	10/7/2021
59A-36.022	9/17/2021	10/7/2021
59E-2.025	9/17/2021	10/7/2021

62-604.100	9/14/2021	10/4/2021
62-604.130	9/14/2021	10/4/2021
62-604.200	9/14/2021	10/4/2021
62-604.300	9/14/2021	10/4/2021
62-604.400	9/14/2021	10/4/2021
62-604.500	9/14/2021	10/4/2021
62-604.550	9/14/2021	10/4/2021
62-604.600	9/14/2021	10/4/2021
62-604.700	9/14/2021	10/4/2021
64B14-2.003	9/17/2021	10/7/2021
64B14-2.005	9/17/2021	10/7/2021
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

PUBLIC SERVICE COMMISSION

Section 120.74, F.S., 2021 Regulatory Plan

Notice is hereby given that on September 17, 2021, the Florida Public Service Commission published its 2021 Regulatory Plan on the Commission’s website pursuant to §120.74(2)(a)3., F.S. The Internet address through which the 2021 Regulatory Plan may be accessed is:

[http://www.floridapsc.com/Files/PDF/Publications/Regulatory Plans/2021.pdf](http://www.floridapsc.com/Files/PDF/Publications/RegulatoryPlans/2021.pdf).

The person designated to receive all inquiries pertaining to the publication identified in this notice is as follows: Kathryn G.W. Cowdery, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, kcowdery@psc.state.fl.us, or (850)413-6199.

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN
SEPTEMBER 13, 2021 AND SEPTEMBER 17, 2021

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.009	9/17/21	10/1/21	47/88	47/150
1S-2.0091	9/17/21	10/1/21	47/88	47/150

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-65.001	9/17/21	10/7/21	47/87	
5B-65.002	9/17/21	10/7/21	47/87	47/141
5B-65.003	9/17/21	10/7/21	47/87	
5B-65.004	9/17/21	10/7/21	47/87	
5B-65.005	9/17/21	10/7/21	47/87	47/141
5B-66.001	9/17/21	10/7/21	47/82	47/141
5B-66.002	9/17/21	10/7/21	47/82	
5B-66.003	9/17/21	10/7/21	47/82	
5B-66.004	9/17/21	10/7/21	47/82	47/141
5B-66.005	9/17/21	10/7/21	47/82	
5B-66.006	9/17/21	10/7/21	47/82	47/141

Division of Agricultural Environmental Services

5E-2.014	9/10/21	9/30/21	47/115	
5E-2.015	9/10/21	9/30/21	47/115	
5E-2.033	9/10/21	9/30/21	47/115	

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

6M-4.630	9/13/21	10/3/21	47/105	47/145
6M-4.720	9/13/21	10/3/21	47/105	47/145

DEPARTMENT OF CITRUS

20-49.001	9/14/21	10/4/21	47/142	
20-49.002	9/14/21	10/4/21	47/142	
20-49.003	9/14/21	10/4/21	47/142	
20-49.004	9/14/21	10/4/21	47/142	
20-49.0041	9/14/21	10/4/21	47/142	
20-49.005	9/14/21	10/4/21	47/142	
20-49.0051	9/14/21	10/4/21	47/142	
20-49.006	9/14/21	10/4/21	47/142	
20-49.0061	9/14/21	10/4/21	47/142	

20-49.007	9/14/21	10/4/21	47/142	
20-49.0071	9/14/21	10/4/21	47/142	
20-49.008	9/14/21	10/4/21	47/142	
20-49.009	9/14/21	10/4/21	47/142	
20-64.001	9/13/21	10/3/21	47/142	
20-94.001	9/14/21	10/4/21	47/142	
20-94.002	9/14/21	10/4/21	47/142	
20-94.003	9/14/21	10/4/21	47/142	
20-94.004	9/14/21	10/4/21	47/142	
20-94.005	9/14/21	10/4/21	47/142	
20-94.006	9/14/21	10/4/21	47/142	
20-94.007	9/14/21	10/4/21	47/142	
20-96.001	9/13/21	10/3/21	47/143	
20-96.002	9/13/21	10/3/21	47/143	
20-96.003	9/13/21	10/3/21	47/143	
20-96.004	9/13/21	10/3/21	47/143	
20-96.005	9/13/21	10/3/21	47/143	
20-96.006	9/13/21	10/3/21	47/143	
20-97.001	9/13/21	10/3/21	47/142	
20-97.002	9/13/21	10/3/21	47/142	
20-97.003	9/13/21	10/3/21	47/142	
20-97.006	9/13/21	10/3/21	47/142	
20-97.009	9/13/21	10/3/21	47/142	
20-97.010	9/13/21	10/3/21	47/142	
20-98.001	9/13/21	10/3/21	47/142	
20-98.002	9/13/21	10/3/21	47/142	
20-98.003	9/13/21	10/3/21	47/142	
20-98.004	9/13/21	10/3/21	47/142	
20-98.005	9/13/21	10/3/21	47/142	
20-98.006	9/13/21	10/3/21	47/142	
20-109.001	9/13/21	10/3/21	47/142	
20-109.002	9/13/21	10/3/21	47/142	
20-109.003	9/13/21	10/3/21	47/142	
20-109.004	9/13/21	10/3/21	47/142	
20-109.005	9/13/21	10/3/21	47/142	
20-109.006	9/13/21	10/3/21	47/142	
20-109.007	9/13/21	10/3/21	47/142	
20-110.001	9/13/21	10/3/21	47/142	
20-110.002	9/13/21	10/3/21	47/142	
20-110.003	9/13/21	10/3/21	47/142	
20-110.004	9/13/21	10/3/21	47/142	
20-110.005	9/13/21	10/3/21	47/142	

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

41-2.014	9/16/21	10/6/21	47/159	
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DEPARTMENT OF THE LOTTERY

53ER21-49	9/16/21	9/16/21	47/181	
53ER21-50	9/16/21	9/16/21	47/181	
53ER21-51	9/16/21	9/16/21	47/181	

53ER21-52 9/16/21 9/16/21 47/181

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

59A-35.110 9/14/21 10/4/21 47/139
 59A-36.002 9/17/21 10/7/21 47/102 47/159
 59A-36.006 9/17/21 10/7/21 47/102 47/159
 59A-36.022 9/17/21 10/7/21 47/102 47/159

Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

59E-2.025 9/17/21 10/7/21 47/127

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

61J2-2.032 9/17/21 10/7/21 47/158

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-604.100 9/14/21 10/4/21 47/144
 62-604.130 9/14/21 10/4/21 47/144
 62-604.200 9/14/21 10/4/21 47/144
 62-604.300 9/14/21 10/4/21 47/144
 62-604.400 9/14/21 10/4/21 47/144
 62-604.500 9/14/21 10/4/21 47/144
 62-604.550 9/14/21 10/4/21 47/144
 62-604.600 9/14/21 10/4/21 47/144
 62-604.700 9/14/21 10/4/21 47/144

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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

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

Division of State Employees' Insurance

60P-1.003 11/5/2019 **/**/**** 45/191
 60P-2.002 11/5/2019 **/**/**** 45/191
 60P-2.003 11/5/2019 **/**/**** 45/191

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

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.