

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.:       RULE TITLE:

2B-1.003       Minor Violations

PURPOSE AND EFFECT: The proposed rule amendment will address additional violations that can be considered minor violations for expedited enforcement.

SUBJECT AREA TO BE ADDRESSED: Changes to the rule regarding minor violation.

RULEMAKING AUTHORITY: 106.26(12), FS.

LAW IMPLEMENTED: 106.26(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: Tim Vaccaro, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:       RULE TITLES:

61G15-20.0017   Application for Retired Status

61G15-20.006   Educational Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendments to properly update application and address of board.

SUBJECT AREA TO BE ADDRESSED: Update rule text and correction of applications.

RULEMAKING AUTHORITY: 471.008, 471.013, 471.015, 471.013(1)(a)3 FS.

LAW IMPLEMENTED: 471.005(10), 471.013, 471.015, 471.017(3), 471.013(1)(a)3., 471.005(6) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308, (850)521-0500 or by electronic mail ZRaybon@fbpe.org

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:       RULE TITLES:

61G15-32.004   Design of Water Based Fire Protection Systems

61G15-32.008   Design of Fire Alarms, Signaling Systems, and Control Systems

PURPOSE AND EFFECT: The Board proposes the rule amendments to update rules to properly match other responsibility rules.

SUBJECT AREA TO BE ADDRESSED: Update rule text.

RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033(2), 471.033 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308k, (850)521-0500 or by electronic mail ZRaybon@fbpe.org

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**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.:       RULE TITLE:

64B2-13.004   Continuing Education

PURPOSE AND EFFECT: The purpose of the rule development workshop is to conduct a comprehensive review of the text to determine if there are any needed updates, changes or corrections as well as consider amendments requested by a Petition to Initiate Rulemaking.

SUBJECT AREA TO BE ADDRESSED: The rule text.

RULEMAKING AUTHORITY: 456.013, 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, January 18, 2022, 11:00 a.m. – 2:00 p.m.

PLACE: <https://global.gotomeeting.com/join/518233085>, by phone: 1(877)309-2073, 518-233-085 access code

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: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by electronic mail – [Christina.Mcginnis@flhealth.gov](mailto:Christina.Mcginnis@flhealth.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by electronic mail – [Christina.Mcginnis@flhealth.gov](mailto:Christina.Mcginnis@flhealth.gov)

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

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE NO.: RULE TITLE:

64B8-3.004 Inactive, Delinquent and Retired Status Fees

PURPOSE AND EFFECT: The Board proposed the rule amendment to reduce the inactive status license and delinquent status license fees.

SUBJECT AREA TO BE ADDRESSED: The reduction of the inactive and delinquent status license fees.

RULEMAKING AUTHORITY: 456.036, 458.309 FS.

LAW IMPLEMENTED: 456.036, 458.3145, 458.316, 458.3165, 458.345 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](mailto: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 Medicine

RULE NO.: RULE TITLE:

64B8-9.009 Standard of Care for Office Surgery

PURPOSE AND EFFECT: The Board proposed the rule amendment to update the language to require renewal of transfer agreements every five years and the agreement must include an effective date.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding transfer agreements.

RULEMAKING AUTHORITY: 458.309(1), 458.328(2), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.328, 458.331(1)(v), 458.351 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](mailto: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 Medicine

RULE NOS.: RULE TITLES:

64B8-30.005 Physician Assistant Licensure Renewal and Reactivation

64B8-30.008 Formulary

PURPOSE AND EFFECT: The proposed rule amendments will update the rule language to clarify the requirements for licensure renewal and authority of physician assistants with prescriptive privileges.

SUBJECT AREA TO BE ADDRESSED: To clarify rule text.

RULEMAKING AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347, 458.347(4)(f)1. FS

LAW IMPLEMENTED: 456.013, 456.031(1), 456.033, 456.036, 456.44, 458.347, 458.347(4)(e), (f), 458.3265 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:

64B15-6.0035 Physician Assistant Licensure Renewal and Reactivation

64B15-6.0038 Formulary

PURPOSE AND EFFECT: The proposed rule amendments will update the rule language to clarify the requirements for licensure renewal and authority of physician assistants with prescriptive privileges.

SUBJECT AREA TO BE ADDRESSED: Update rule language.

RULEMAKING AUTHORITY: 456.013, 456.033(1), 458.347, 459.005, 459.022, 459.022(4) FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.044, 459.0137, 459.022(4)(e), 459.022(7)(b), (c) 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.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Agency for Persons with Disabilities**

RULE NOS.: RULE TITLES:

65G-13.001 Definitions

65G-13.002 Individual and Family Supports (IFS) Determination Procedure

65G-13.003 Individual and Family Supports Prioritization Criteria

65G-13.004 Eligibility Requirements for In-Home Subsidies

65G-13.005 Approval Process for In-Home Subsidies

65G-13.006 In-Home Subsidy Fund Restrictions

65G-13.007 Reviews and Adjustments to Subsidy Amount

65G-13.008 Payment

65G-13.009 Notice of Denial or Change of In-Home Subsidy Amount

PURPOSE AND EFFECT: The purpose and effect of these rules and rule amendments is to clarify the process and criteria used by the Agency for Persons with Disabilities (“Agency”) to review and approve or deny requests for Individual and Family Support (“IFS”) services, including requests for in-home subsidies, for which rule making is mandatory pursuant to section 393.0695, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The rule language addresses the procedures used by the Agency to receive, review, and respond to requests for IFS funding, including requests for in-home subsidies. The language also describes the criteria used by the Agency to determine whether to approve a request for IFS funding.

RULEMAKING AUTHORITY: 393.066, 393.0663, 393.0695, 393.501, F.S.

LAW IMPLEMENTED: 393.063, 393.066, 393.0663, 393.0695, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brett Taylor, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)410-1309, brett.taylor@apdcares.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**Substantial rewording of Rule 65G-13.001, F.A.C. follows. See Florida Administrative Code for current text.**

**65G-13.001 Definitions-**

(1) “Applicant” means an individual who has not yet been determined eligible for Agency for Persons with Disabilities (“Agency”) services pursuant to section 393.065(1), Florida Statutes (“F.S.”), but who is applying to receive Agency services.

(2) “Act of nature” means a natural disaster such as a hurricane, flood, tornado, earthquake, or insect infestation.

(3) “Central Record” means, as described in section 393.13(4)(i), F.S., a collection of paper or electronic files established by the Agency that pertains to each client or applicant. Each client or applicant’s central record is maintained by his or her support coordinator and contains the client or applicant’s updated demographic information; contact information for the client or applicant’s legal representative(s); releases of information; legal documents (such as a designation of power of attorney, healthcare surrogate, or guardianship, as well as guardian advocate papers and court orders); medical and medication information; results of assessments, eligibility determinations, and evaluations; and service delivery information, including cost plans, written service authorizations, and implementation plans, as required.

(4) “Client” means an individual served by the Agency who meets eligibility criteria as defined in Chapter 393, F.S., and Rules 65G-4.014 through 4.017, Florida Administrative Code (F.A.C.), regardless of whether or not one is on the Waiting List or Waiver.

(5) “Family Care Services” means medically necessary services provided to clients who live in the family home that are necessary to avoid institutionalization or more costly out-of-home residential placement.

(6) “Family Home” means the primary residence occupied by the client and the client’s family member(s).

(7) “Family Member” means a spouse, child, parent, grandparent, sibling, aunt, uncle, niece, nephew, stepchild, stepparent, stepsibling, in-law, and adoptive relationships, who is not a client of the Agency.

(8) “Fiscal agent” means a person who serves as the designated payee of a disability benefit payment, is a co-signer on bank accounts, maintains physical possession of banking records, or otherwise controls the client’s finances.

(9) “Guardian advocate referrals” mean referrals or recommendations to organizations in order to obtain a guardian advocate, as defined in section 393.063, F.S., to represent a client of the Agency pursuant to section 393.12, F.S.

(10) “Habilitative services” means specific training activities that help a client to acquire, maintain, or improve self-help, socialization, and adaptive skills to enable a client to reside in the community.

(11) “Home and Community-Based Services (“HCBS”) Waiver” or “Waiver” means the Medicaid waiver program authorized by 42 U.S.C. 1396n(c)(1) of the Federal Social Security Act and section 409.906, F.S., the administration of which the Agency for Health Care Administration (“AHCA”) is responsible, and which consists of the Waiver service delivery system and utilizes individual budgets that are required pursuant to section 393.0662, F.S., under which the Agency, in

consultation with AHCA, operates the Developmental Disabilities Individual Budgeting (“iBudget”) Waiver.

(12) “iConnect” means the Agency’s designated data management system as described in section 393.066(2), F.S., chapter 65G-12, F.A.C., and the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, which is incorporated by reference in rule 59G-13.070, F.A.C.

(13) “Imminent risk” means a situation in which a client or other individual(s) are likely to experience or sustain substantial harm or the client would require institutionalization within the immediate future.

(14) “Individual and Family Supports (“IFS”)” means temporary assistance the Agency provides to meet critical service needs of clients, funded by Social Services Block Grant funds and General Revenue funds.

(15) “Individual Financial Profile” means a profile developed by a client of the Agency or a client’s legal representative and the client’s support coordinator or, if applicable, supported living coach, which accurately reflects the client’s finances and is required to determine the client’s need for an in-home subsidy.

(16) “In-Home Subsidy” means a type of financial assistance the Agency may provide to a client living in his or her own home, based on the client’s needs identified in his or her Individual Financial Profile. The subsidy includes the following:

(a) “Emergency In-Home Subsidy” means an In-Home Subsidy:

1. that the Agency may approve for a period of up to 90 days; and

2. which may occur when the financial situation of the client suddenly changes and that client risks losing his or her housing due to the change.

(b) “Ongoing In-Home Subsidy” means financial assistance the Agency may provide on a monthly basis to a client who has demonstrated an ongoing need for financial assistance in order to live in his or her own home. Ongoing In-Home Subsidies are also known as Recurring In-Home Subsidies and can only be approved for a time limited basis not to exceed the end of the current fiscal year.

(c) “Start-Up In-Home Subsidy” means financial assistance the Agency may provide to a client who is moving to his or her own home, which is approved on a one-time basis as a single supplement to the client’s income to cover start-up costs based on the client’s individual needs.

(d) “Temporary In-Home Subsidy” means financial assistance the Agency may provide to a client who loses a roommate who shared expenses with the client until a new roommate is selected to share costs.

(17) “Legal representative” means parent(s) of an unemancipated child whose parental rights remain intact, someone acting through a Power of Attorney or Durable Power of Attorney, a health care surrogate, a medical proxy under chapter 765, F.S., or anyone appointed by a Florida court as a guardian or guardian advocate under chapter 393 or 744, F.S.

(18) “Medicaid State Plan” means a comprehensive written statement established by the AHCA, as the single state agency, describing the scope and nature of the Medicaid program. The Plan outlines current Medicaid eligibility standards, policies and reimbursement methodologies to ensure the state program receives matching federal funds under Title XIX of the Social Security Act.

(19) “Medical/dental services” means the same as defined in section 393.063(26), F.S.

(20) “Natural support” means unpaid supports that are or may be provided voluntarily to the client in lieu of Waiver or IFS. Any determination of the availability of natural supports includes but is not limited to consideration of the client’s caregiver(s) age, physical and mental health, travel and work or school schedule, responsibility for other dependents, sleep, and ancillary tasks necessary to the health and well-being of the client.

(21) “Own home” means a house, apartment, or comparable living space that:

(a) The client chooses, rents or owns, controls, and occupies as a primary place of residence;

(b) Meets community housing standards identified on the Housing Survey Form identified in Rule 59G-13.070, F.A.C.; and

(c) Is not a family home as defined in section (6) of this rule.

(22) “Parent training” means training classes in the community and individualized training in the home for parents/caregivers of clients which is designed to increase his or her knowledge of developmental disabilities, child development, parenting skills, advocacy skills, or accessing and organizing services for the client. This includes parent and caregiver training as part of Behavior Analysis and Behavior Assistant services.

(23) “Provider” means an individual vendor, agency, or direct service staff of an agency certified or approved by the Agency to provide services to Agency clients.

(24) “Quarterly meeting” means a meeting initiated by the support coordinator to assess a client’s progress in achieving goals, to determine if services are sufficient and satisfactory, and to review the Health and Safety Checklist and Housing Survey in order to identify any needed changes or follow up. The Health and Safety Checklist and Housing Survey forms are found in the Florida Medicaid Developmental Disabilities

Individual Budgeting Waiver Services Coverage and Limitations Handbook, as adopted in Rule 59G-13.070, F.A.C.

(25) “Recreation” means services that utilize recreation and other leisure-based activities to address the assessed needs of clients as a means to increase the client’s independence in the home and integration into the community. These services may be provided in the family home, the client’s own home, or in community settings.

(26) “Regional office” means one of the Agency’s offices serving a designated geographic area of the State.

(27) “Rehabilitative services” mean specific training activities that help a client to restore or regain self-help, socialization, and adaptive skills to enable a client to reside in the community.

(28) “Residential facility services” means room and board, personal care services, supervision, training activities, and other habilitative and rehabilitative services provided to persons with developmental disabilities in a residential facility as defined in sections 393.063(32) and (33), F.S.

(29) “Respite services” means appropriate, short-term, temporary care provided due to a primary caregiver’s brief planned or emergency absence, or when the primary caregiver is available but temporarily physically unable to care for or supervise the client for a brief period of time.

(30) “Roommate” means an individual who resides with a client and pays a share of the housing’s expenses.

(31) “Significant” means of considerable magnitude or considerable effect.

(32) “Social services” mean services provided by a support coordinator.

(33) “Specialized therapies” mean treatments or activities prescribed and provided by an appropriately trained, licensed, or certified professional or staff person, including but not limited to physical therapy, speech therapy, occupational therapy, respiratory therapy, specialized mental health counseling, behavior analysis, behavior assistant services, and physical management services.

(34) “Support coordinator” means an employee of a qualified organization, designated by the agency as provided in s. 393.0663, F.S., to assist individuals and families in identifying their capacities, needs, and resources, as well as finding and gaining access to necessary supports and services; coordinating the delivery of supports and services; advocating on behalf of the individual and family; maintaining relevant records; and monitoring and evaluating the delivery of supports and services to determine the extent to which they meet the needs and expectations identified by the individual, family, and others who participated in the development of the support plan. For clients enrolled in the CDC+ Program, this term includes the CDC+ Consultant.

(35) “Supported living coach” means a care provider who assists a client in locating appropriate housing; and who assists a client in the acquisition, retention, or improvement of skills related to the activities of daily living, household chores, meal preparation, shopping, personal finances, and any social and adaptive skills necessary to enable the client to reside in his or her own home.

(36) “Supported living services” means a category of individually determined services designed and coordinated in such a manner as to provide assistance to adult clients who require ongoing supports to live as independently as possible in his or her own homes, to be integrated into the community, and to participate in community life to the fullest extent possible as stated in section 393.63(43), F.S., which meets the requirements described in chapter 65G-5, F.A.C. These services include supported living coaching and personal supports.

(37) “Support plan” means an individualized and person-centered plan of supports and services designed to meet the daily needs of a client and to help the client live as independently as possible.

(38) “Transportation” means provision of rides to and from services or employment to enable a client to receive the supports and services identified on the support plan and authorized by the Agency.

(39) “Unavailability of funds” means the Agency has obligated all of its available budgeted funds for IFS expenditures. The Agency shall be the final authority as to the unavailability of funds.

(40) “Waiting List” means the prioritized list of clients, maintained by the Agency, that have been determined eligible for Agency services and are waiting to receive Waiver services when funding becomes available pursuant to s. 393.065(5), F.S. Rulemaking Authority 393.066(8), 393.0663, 393.0695, 393.501(4), F.S. Law Implemented 393.063, 393.066, 393.0663, 393.0695, F.S. History—New 8-28-16; Amended\_\_\_\_\_.

**Substantial rewording of Rule 65G-13.002, F.A.C. follows. See Florida Administrative Code for current text.**

**65G-13.002 Individual and Family Supports (IFS) Determination Procedure.**

**(1) Requesting IFS.**

(a) A request for IFS can be made orally or in writing to the Agency’s Regional Office by an applicant, client, or his or her legal representative, or support coordinator. IFS can also be initiated by the Agency. To request IFS, the applicant, client, his or her legal representative, or support coordinator shall provide the following:

1. The applicant or client’s name;
2. The region where the applicant or client resides;
3. The applicant or client’s legal representative and support coordinator’s names, if applicable;

4. A description of the specific client need to be addressed by the requested IFS service(s);

5. Documentation that demonstrates the specific client need to be addressed by the requested IFS service(s); and

6. An explanation of the efforts taken to address those needs through other funding sources and natural supports.

(b) Within 30 calendar days of receipt of a request for IFS, the Agency will approve, partially approve, deny, or request additional documentation or information to supplement the request. If additional documentation or information is requested, the deadline for the Agency’s response shall be extended to 60 calendar days following the receipt of the original request for IFS.

1. If the Agency requests additional documentation or information:

a. the applicant or client shall provide the requested documentation or information within 10 calendar days of the date of the written notice; or

b. notify the Agency in writing that the applicant or client wishes the Agency to render its decision based upon the documentation and information provided with the initial request.

2. If the applicant or client fails to timely respond to the Agency’s notice requesting additional documentation or information, the Agency will deny or partially approve the request for IFS based on the information available.

(c) Prior to authorizing the use of IFS, the support coordinator or, if the client is not enrolled on the Waiver, the Agency, shall assist the applicant or client with exploring other alternative funding options for which the individual may be eligible to receive. The individual shall utilize all available Medicaid State Plan services, school-based services, private insurance, natural supports, and any other resources that may be available to the individual before the Agency approves IFS. If additional alternative funding or services are available, the Agency shall deny the request for IFS or partially approve IFS to the extent not covered from the alternative funding or services.

(2) Approval for IFS.

(a) IFS funds can only be encumbered for the current fiscal year.

(b) Service authorizations will not be approved retroactively, except:

1. when obtaining prior authorization is impossible due to extenuating circumstances; or

2. without IFS, the client or others would be at imminent risk.

(c) The Regional Office shall only approve IFS for applicants or clients who meet the IFS eligibility criteria described in Rule 65G-13.003, F.A.C. If those criteria are met and the Agency has available funds, the Regional Office will

provide written notice of IFS to the client or client’s legal representative within 30 calendar days of the receipt of the request or within 60 calendar days if additional documentation is needed as described in subsection (1)(b) of this rule.

(d) IFS shall not be approved for goods or services if the client:

1. Requested and was denied the same goods or services provided under the Medicaid State Plan or the Waiver; or
2. Is in the process of disputing a denial or termination pertaining to the same goods or services under the Medicaid State Plan or the Waiver.

(3) Denial or Termination of IFS.

(a) If the Regional Office concludes that the applicant or client does not meet the IFS criteria described in Rule 65G-13.003, F.A.C., the Regional Office shall deny the IFS request and provide written notification of the denial to the client or client’s legal representative within 30 calendar days of receipt of the request or within 60 calendar days if additional documentation is needed. Clients denied IFS have the right to request an administrative hearing pursuant to sections 120.569 and 120.57, F.S., within 30 calendar days of notification of the denial, partial approval or termination.

(b) If the Agency denies IFS based on lack of documentation and additional documentation subsequently becomes available, or there is a change in the applicant’s or client’s situation, the applicant or client may submit a new request for IFS, at any time, to the Regional Office.

(c) The Agency shall not authorize the use of IFS that exceed the appropriation amount. Unavailability of funds is sufficient reason to deny a request for IFS.

Rulemaking Authority 393.066(8), 393.0663, 393.501(4), F.S. Law Implemented 393.063, 393.066, 393.0663, F.S. History—New 8-28-16; Amended \_\_\_\_\_.

**Substantial rewording of Rule 65G-13.003, F.A.C. follows. See Florida Administrative Code for current text.**

**65G-13.003 Individual and Family Supports ~~Prioritization~~ Criteria for Approval.**

(1) IFS for applicants may only be approved for the following:

(a) A comprehensive assessment as defined in section 393.063(9), F.S., for purposes of determining eligibility for Agency services pursuant to section 393.065(1), F.S.; or

(b) When he or she requires assistance completing the application for Agency services, including any process relating to the eligibility determination and support planning activities.

(2) IFS for clients may only be approved for the following:

(a) Except for a client eligible for in-home subsidies under Rule 65G-13.004, F.A.C., to receive IFS, the client shall demonstrate that:

1. Community-based services are medically necessary to prevent institutionalization under section 393.066(3), F.S.; or
2. one-time or temporary IFS will avert a crisis pursuant to section 393.065(5)(a), F.S., and division 65G, F.A.C.

(b) In addition to meeting the requirements of (a) of this section:

1. For a client actively enrolling onto the Waiver, the client shall demonstrate an imminent risk prior to Waiver enrollment. The provision of IFS shall only be approved to directly address the imminent risk and must end on the effective date upon commencement of waiver services that addresses the imminent risk.

2. For a client with a pending Significant Additional Needs (“SANs”) request, as described in Rule 65G-4.0218, F.A.C., IFS may only be approved:

- a. For a service or services that directly address the SANs request;
- b. To address an imminent risk; and
- c. Must terminate:
  - i. Upon denial of the SANs request; or
  - ii. After approval of the SANs request and upon commencement of waiver services that addresses the imminent risk.

(3) Clients enrolled on the Waiver must not receive IFS services that are the same or substantially the same as the services offered on the Waiver.

(4) In order for an applicant or client to receive a specific IFS service, the service must not be offered or available by any other resource. Other resources include, but are not limited to:

1. Medicaid State Plan;
2. The Waiver, except as provided for in subsection (2)(b) of this Rule;
3. Natural supports;
4. Other agencies or programs; and
5. Other paid supports, such as Medicare or private insurance.

(5) The following services are allowable under IFS:

- (a) Adult day training, as defined in section 393.063, F.S.;
- (b) Employment services;
- (c) Family care services;
- (d) Guardian advocate referrals, as described in section 393.12, F.S.;
- (e) In-home subsidies, as described in Rules 65G-13.004 to 13.009, F.A.C.;
- (f) Medical and dental services, which include but are not limited to nursing services, consumable medical supplies, durable medical equipment, medical evaluations, and dental services;
- (g) Parent training;
- (h) Personal care services, as defined in section 393.063, F.S.;

(g) Parent training;

(h) Personal care services, as defined in section 393.063, F.S.;

- (i) Recreation;
- (j) Residential facility services;
- (k) Respite services, as defined in section 393.063, F.S.;
- (l) Social services;
- (m) Specialized therapies;
- (n) Supporting living services;
- (o) Transportation; and
- (p) Other habilitative and rehabilitative services,
- (6) Non-allowable IFS services include but are not limited to the following:
  - (a) Home repairs;
  - (b) Installation or maintenance of spas or swimming pools;
  - (c) Constructing, erecting, or maintaining fences;
  - (d) Restraint devices;
  - (e) Satellite or cable television services or the purchase of a television;
  - (f) Vacation travel or accommodations;
  - (g) Aesthetic home improvements;
  - (h) Contractor services;
  - (i) Any portion of the principal or interest of a mortgage payment except in emergency situations in which the client is granted an Emergency In-Home Subsidy;
  - (j) Premiums for life, auto, medical/health, renter's, or homeowner's insurance;
  - (k) Loans, debts, or credit card payments;
  - (l) Personal spending funds or savings accounts;
  - (m) Alcohol or nicotine products or supplies;
  - (n) Alimony payments or child support payments, or any payments that are for the direct benefit of a child or children who reside in the home with a client receiving an In-Home Subsidy;
  - (o) Purchase or replacement of major appliances such as refrigerators, stoves, dishwasher, or washer/dryer;
  - (p) Computing devices, such as computers and tablet personal computers;
  - (q) Telephones for persons in the family home or a licensed facility;
  - (r) Second telephone line in person's own home;
  - (s) Court costs, lawyer fees, traffic tickets, or fines;
  - (t) Recreational items or expenses related to events and activities that a client attends that do not address an assessed need of the client;
  - (u) Reimbursement of money owed for cost of expenses related to events and activities that a client attends;
  - (v) Capital improvements to property;
  - (w) General repair and maintenance of property, such as repair of major appliances and heating, ventilation, and air conditioning systems;
  - (x) Fees related to legal guardianship and legal guardianship reports;
  - (y) Property taxes;

(z) Supporting or subsidizing any other person living in the client's household;

(aa) Providing direct services and supports to a client who is the recipient of the In-Home Subsidy; and

(ab) Covering or replacing supports or services that are allowable under the Medicaid State Plan, the Waiver, or any other governmental program after the client has been determined eligible for the Medicaid State Plan, the Waiver, or other governmental program.

Rulemaking Authority 393.065, 393.066(8), 393.0663, 393.501(4), F.S. Law Implemented 393.063, 393.065, 393.066, 393.0663, F.S. History--New 8-28-16; Amended\_\_\_\_\_.

**65G-13.004 Eligibility Requirements for In-Home Subsidies**

(1) All in-home subsidy funding is limited to essential needs that relate to the client's goal of remaining in his or her own home.

(2) The request for an in-home subsidy must:

(a) Conform with the requirements of 65G-13.002(1)(a), F.A.C.; and

(b) Include a complete and accurate Individual Financial Profile, Form 65G-13.004 A, effective \_\_\_\_\_, adopted and incorporated herein, which may be found at <http://apdcare.org/customers/supported-living/docs/Individual%20Financial%20Profile.pdf> and \_\_\_\_\_, to the Agency, the results of which substantiate a need for the in-home subsidy; and

(c) Include documentation that demonstrates the need of the client to remain in his or her own home.

(3) To be eligible for an in-home subsidy, the client must establish:

(a) he or she is eighteen years of age or older;

(b) he or she would be unable to remain in his or her own home without the in-home subsidy; and

(c) that living in his or her own home:

1. Is in the client's best interest;

2. Does not jeopardize his or her health and safety needs;

and

3. Is more cost-effective than other options.

(4) Costs related to the in-home subsidy request shall be reasonable for the geographical area where the client lives.

(5) The maximum amount for an in-home subsidy will be based on client need, as determined by the client's Individual Financial Profile that was approved by the Agency, and the availability of Agency funds.

(6) In-home subsidies are funds of last resort and will only be granted when all other available resources are exhausted, including those described in Rule 65G-13.003(3)(b), F.A.C. The client shall utilize all resources or options, other than moving into the family home, to reduce costs of living,



including the requirements in subsections (a)-(d), below, before in-home subsidies may be authorized.

(a) A client requesting an in-home subsidy for rental assistance shall show proof that he or she has applied for and been denied rental assistance through the U.S. Department of Housing and Urban Development or other local governmental organization (e.g., the local public housing authority).

(b) A client is expected to participate in utility/telephone company budget plans, if available, or other low-income cellular phone assistance programs. In-home subsidy funds may be used to pay the cost of cellular phone service if it does not cost more than a landline telephone service. A cost comparison of cellular phone services and landline telephone service shall be included in the client's Individual Financial Profile.

(c) A client who intends to use the in-home subsidy funds for food shall show proof that he or she has been approved or denied supplemental nutrition assistance program ("SNAP") benefits within the last twelve (12) months.

(d) A client is expected to live within his or her means, which may include living with a roommate or roommates.

(7) The need for an in-home subsidy cannot be created by mismanagement or misuse of the client's funds, which means spending funds on services or equipment that were not authorized when the application for funds was submitted and approved for a specific use.

(8) A month-to-month lease is not considered a valid lease for the purposes of this rule unless the client's circumstances meet any of the criteria listed in subsections (a)-(c) of this section and may not be used for more than three consecutive months per fiscal year.

(a) All available housing options that meet a client's identified needs require a month-to-month lease. For purposes of this paragraph, "available housing options" means the options that are reasonable relative to the client's financial means, as identified in the Individual Financial Profile;

(b) Alternative living arrangements that offer long-term leases, such as annual leases, cannot reasonably meet the client's identified needs as described in his or her support plan; or

(c) The client's health, safety, and welfare require he or she sign a month-to-month lease.

(9) With the exception of Start-Up In-Home Subsidies, a copy of the current signed lease agreement between the client and landlord shall be provided to the appropriate Regional Office. The client shall sign any renewal lease on or before the renewal date and provide it to the Agency annually or, if signed each month, monthly.

(10) The Agency will deny payment for an in-home subsidy requested by a client or legal representative who did not request prior authorization. In-home subsidies will not be approved retroactively. In limited circumstances, an exception

may be made on a case-by-case basis by the Agency's regional office to correct an administrative error or to consider a health and safety risk or emergency situation.

(11) A week-to-week lease is not considered a valid lease for the purposes of this rule.

(12) The Agency identifies and approves funds on a one-time or ongoing basis based on the client's identified needs. Criteria restricting items that may be purchased with In-Home Subsidy funds can be found in Rule 65G-13.007, F.A.C. In-home subsidies include the following:

(a) Start-Up In-Home Subsidy.

1. A Start-Up In-Home Subsidy is financial assistance the Agency may provide to a client moving to his or her own home that is provided on a one-time basis as a single supplement to the client's income. To qualify for a Start-Up In-Home Subsidy, the client shall:

a. Demonstrate that he or she requires financial assistance in order to obtain a valid lease and move into his or her own home; and

b. Submit to the Agency a copy of the un-signed proposed lease before approval of the Start-Up In-Home Subsidy.

2. The Agency will not reimburse start-up expenses that the client incurred prior to receiving approval for a Start-Up In-Home Subsidy.

(b) Temporary In-Home Subsidy.

1. A Temporary In-Home Subsidy is financial assistance the Agency may provide to a client who loses a roommate who shared expenses with the client until a new roommate is selected to share costs.

2. If the Agency approves a Temporary In-Home Subsidy, the Agency will review the need for the subsidy every 30 calendar days. The client's support coordinator or, if applicable, supported living coach, shall provide a written explanation of efforts taken to find a roommate on a monthly basis or more frequently as requested by the Agency. Failure to demonstrate that the client is actively seeking a roommate will result in termination of the Temporary In-Home Subsidy.

3. If, after six months of receiving a Temporary In-Home Subsidy or the end of the current fiscal year, whichever comes first, the client has not found a replacement roommate, the support coordinator or supported living coach, if applicable, shall submit an updated Individual Financial Profile for reevaluation of the need for the Temporary In-Home Subsidy, and if, at that time, the client's need persists:

a. The support coordinator or supported living coach, if applicable, will work with the client to find a less costly alternative, such as a different living environment; and

b. If no less costly alternative is identified, the client's updated Individual Financial Profile shall demonstrate that he or she has used all resources or options to reduce the costs of living as part of the Agency's re-evaluation.

c. If it is determined by the Agency that the client has not used all other resources or options, then the Temporary In-Home Subsidy may either be reduced or terminated, as appropriate, accordingly.

(c) Emergency In-Home Subsidy.

1. An Emergency In-Home Subsidy is financial assistance the Agency may provide to supplement a client's income, or another In-Home Subsidy, when the financial situation of the client suddenly changes and that client risks losing his or her housing due to the change. The client shall demonstrate that he or she requires financial assistance in order to maintain residence in his or her own home due to a sudden change the client recently experienced or will soon experience in his or her financial situation. This includes completing a new or updated Individual Financial Profile to substantiate the need for an Emergency In-Home Subsidy.

a. For the purposes of subsection (c) above, a "sudden change" includes:

(I) The death or debilitating injury of a person who provides financial assistance to the client such that this person cannot provide financial assistance;

(II) A medical emergency that requires payment from the client; or

III) An act of nature that necessitates payment to ensure the health, safety, and welfare of the client.

b. A "sudden change" does not include the occurrence of events that are not proximate in time, such as weeks or months, to when the client requests the Emergency In-Home Subsidy.

2. If the Agency approves an Emergency In-Home Subsidy, the Agency will review the need for the subsidy every 30 calendar days. An Emergency In-Home Subsidy will not be approved for longer than 90 days.

3. A client who is the recipient of an Emergency Subsidy shall manage the use of such funds with the assistance of his or her designated fiscal agent, support coordinator, and/or supported living coach.

4. If the client provides documentation, including a new or updated Individual Financial Profile, supporting his or her request for an Emergency In-Home Subsidy when the client requests the subsidy, the Agency shall render a decision as soon as is practicable to prevent the client's health, safety, or welfare from being placed in jeopardy. In no event shall the Agency take longer than 30 calendar days to render a decision regarding a request for an Emergency In-Home Subsidy. Failure to complete a new or updated Individual Financial Profile to substantiate the need for an Emergency In-Home Subsidy constitutes grounds for denial or partial approval of the client's request for an Emergency In-Home Subsidy.

(d) Ongoing In-Home Subsidy.

1. An Ongoing In-Home Subsidy is financial assistance the Agency may provide on a monthly basis to a client who

demonstrates a need for ongoing financial support in order to live in his or her own home.

2. An Ongoing In-Home Subsidy will not be approved beyond the remainder of the current fiscal year.

3. An approval for Ongoing In-Home Subsidy will be based on the client's Individual Financial Profile and demonstrated need for the Ongoing In-Home Subsidy, subject to availability of funds. In order for the Agency to review a client's ongoing need for an Ongoing In-Home Subsidy, a client shall request renewal of the Ongoing In-Home Subsidy by the earliest of the following:

a. 30 calendar days prior to the end of the approval period designated in the Agency's notice approving the in-home subsidy;

b. 30 calendar days prior to the new fiscal year, or May 1 of each year; or

c. 30 calendar days before the end of a lease.

4. If the support coordinator's or, if applicable, supported living coach's face-to-face quarterly meeting, described in Rules 59G-13.070 and 65G-13.007, F.A.C., includes review of this documentation within 60 days of the lease ending, then this review does not need to be repeated for purposes of this rule.

(13) Upon request by the Agency, the recipient of any in-home subsidy shall provide an updated Individual Financial Profile within 10 calendar days of the Agency's request. Failure to submit an updated and accurate Individual Financial Profile may result in denial, partial approval, or termination of the subsidy.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History—New \_\_\_\_\_.

**65G-13.005 Approval Process for In-Home Subsidies**

(1) The Agency will distribute funds for in-home subsidies in accordance with the client's individual determination of need as requested in the client's Individual Financial Profile and approved by the Agency as detailed in the Agency's notice to the client and will be subject to the availability of funds.

(2) The client shall complete an Individual Financial Profile, which is adopted and incorporated by reference in Rule 65G-13.004, F.A.C., to request an in-home subsidy.

(3) The Agency shall not approve an In-Home Subsidy request if the client, his or her support coordinator or, if applicable, supported living coach, does not provide an accurate and up-to-date Individual Financial Profile to substantiate the request.

(4) The following individuals shall provide assistance in completing or updating the Individual Financial Profile:

(a) If a client has a supported living coach, the supported living coach shall assist the client or legal representative in completing his or her Individual Financial Profile to

substantiate the need for an in-home subsidy. The client or the client's supported living coach shall send the client's completed Individual Financial Profile to the support coordinator no more than 10 calendar days following the selection of housing by the client and prior to signing the lease.

(b) The support coordinator shall review the Individual Financial Profile to verify that it accurately reflects all sources of income and monthly expenses of the client. The support coordinator shall submit the client's Individual Financial Profile to the Regional Office within 5 calendar days of receipt.

(c) If a client does not have a supported living coach, the support coordinator shall assist the client or legal representative in completing his or her Individual Financial Profile and submit the Individual Financial Profile to the Regional Office no more than 10 calendar days following the selection of housing by the client and prior to signing the lease.

(5) The Agency will follow the same review and determination process within the timeframes described in 65G-13.002, F.A.C.

(a) If a client requests an Emergency In-Home Subsidy, the Agency will review the request and determine the client's eligibility for the subsidy as soon as practicable, but no later than 30 calendar days from receipt of the client's Individual Financial Profile.

(6) A client who requests to receive an in-home subsidy from the Agency shall not commit to a living situation that is beyond his or her financial means prior to having the Agency review and approve his or her Individual Financial Profile for an in-home subsidy. The Agency is not responsible for the costs of the living arrangement that the client agrees to in a lease or mortgage without Agency approval.

(7) The client shall exhaust any other funding source available before the Agency will approve a subsidy. The support coordinator and supported living coach shall assist the client in obtaining additional funding sources and document all such efforts in the request for the in-home subsidy. Analysis of other funding sources for the client, may include, but is not limited to:

(a) Seeking employment;

(b) Obtaining potential roommates to share costs with the client;

(c) Seeking any subsidized housing options for the client;

(d) Applying for supplemental nutrition assistance program ("SNAP"); and

(e) Seeking any other resources available to the client.

(8) Unavailability of funds is sufficient reason to deny a request for an in-home subsidy. The approval of all in-home subsidies may be reduced or eliminated if funds are not available or if funds are used outside the scope of what was approved by the Agency as shown in the notice approving the in-home subsidy.

(9) If an in-home subsidy is approved, the client shall provide a copy of the signed lease to his or her support coordinator. The support coordinator shall place the copy of the signed lease in the client's central record.

(10) Upon approval of any in-home subsidy, the Agency will issue a notice that the request was approved to the client or to the client's legal representative that reflects the approved subsidy amount, the period of time to which it applies, and the specifically approved use(s) of such funds.

(a) The support coordinator shall place a copy of the notice in the client's central record.

(b) In-home subsidy funds shall be used to purchase the less costly version of the items listed in the notice.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History—New\_\_\_\_\_.

### **65G-13.006 In-Home Subsidy Fund Restrictions**

(1) In-home subsidy funds shall not be used to purchase restricted items, which include:

(a) Satellite or cable television services or the purchase of a television;

(b) Maintenance of a swimming pool;

(c) Vacation travel or accommodations;

(d) Aesthetic home improvements;

(e) Contractor services;

(f) Medical or dental services;

(g) Medicines, medical supplies, or adaptive equipment or aids;

(h) Any portion of the principal or interest of a mortgage payment except in emergency situations in which the client is granted an Emergency In-Home Subsidy;

(i) Premiums for life, auto, medical/health, renter's, or homeowner's insurance;

(j) Loans, debts, or credit card payments;

(k) Personal spending funds or savings accounts;

(l) Alcohol or nicotine products or supplies;

(m) Alimony payments or child support payments, or any payments that are for the direct benefit of a child or children who reside in the home with a client receiving the In-Home Subsidy;

(n) Purchase or replacement of major appliances such as refrigerators, stoves, dishwasher, or washer/dryer;

(o) Computers or tablet personal computers;

(p) Second telephone line;

(q) Court costs, lawyer fees, traffic tickets, or fines;

(r) Recreational items or expenses related to events and activities that an client attends;

(s) Reimbursement of money owed for cost of expenses related to events and activities that an client attends;

(t) Capital improvements to property;

(u) General repair and maintenance of property, such as repair of major appliances and heating, ventilation, and air conditioning systems;

(v) Fees related to legal guardianship and legal guardianship reports;

(w) Property taxes;

(x) Supporting or subsidizing any other person living in the client's household;

(y) Providing direct services and supports to a client who is the recipient of the In-Home Subsidy;

(z) Internet; and

(aa) Covering or replacing supports or services which are allowable under the U.S. Department of Housing and Urban Development, the Medicaid State Plan, the Medicaid Home and Community-Based Services Waiver, or any other governmental agency.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History—New \_\_\_\_\_.

**65G-13.007 Reviews and Adjustments to Subsidy Amount**

(1) The supported living coach, or the support coordinator if there is no supported living coach, shall reassess a client's need for the in-home subsidy on a quarterly basis, or more frequently if necessary, to determine the client's ongoing need for the subsidy. The support coordinator shall document this activity in his or her progress/case notes.

(2) Support coordinators shall verify that the in-home subsidy funds have been spent appropriately, as described in the approval notice sent by the Agency, which shall be documented in the client's progress/case notes. This includes reviewing receipts during quarterly meetings to verify that designated items were purchased as approved by the Agency.

(3) In-home subsidy funds shall be used in a manner that is approved by the Agency.

(a) Support coordinators and supported living coaches shall notify the Agency upon discovering any use of in-home subsidies that was not previously approved by the Agency.

(b) Support coordinators and supported living coaches shall take appropriate action to address any unapproved use of such funds, which may include:

1. Providing additional supports to the client who is the recipient of the in-home subsidy, such as training or assistance with money management;

2. Assisting in locating someone to provide financial management for the client who is the recipient of the in-home subsidy.

(c) In any case where in-home subsidy funds are not used in a manner that was previously approved by the Agency, the Agency shall take appropriate action necessary to ensure that

the use of in-home subsidy funds is in compliance with this chapter and Florida Statutes, including:

1. Terminating or decreasing the amount of the subsidy; or

2. Disbursing direct payment to the vendor (such as a landlord or utility company) instead of disbursing an in-home subsidy payment to the client or the client's guardian.

(4) If a family member, fiscal agent or any other person who controls the finances of a client who is the recipient of an in-home subsidy uses the funds in a way that is not for the sole benefit of the client or inconsistent with the notice of approval sent by the Agency, the person who misused the funds shall repay the funds to the Agency. If necessary, the Agency will make appropriate referrals to the State Attorney, Department of Children and Families, law enforcement, or other appropriate authorities in accordance with chapters 39 and 415, F.S.

(5) Pursuant to the requirements of Rules 65G-13.004 and 13.006, F.A.C., a client shall complete and submit a new Individual Financial Profile to the Regional Office when circumstances affect the client's need for an in-home subsidy. Circumstances that affect a client's need for an in-home subsidy include, but are not limited to:

(a) A change in Social Security payments;

(b) The client receives any back payment for Social Security income or other benefits;

(c) A change in cost-sharing arrangements between roommates;

(d) A change in employment status;

(e) A change in availability of subsidized housing;

(f) A change in the client's income;

(g) A change in housing or rent expenses;

(h) Eviction due to non-payment of rent requiring the client to secure an alternative living arrangement;

(i) Pest infestation not covered in rental agreement;

(j) Loss of child support payments for any client who has children;

(k) Major home repairs and or damages not covered by the landlord under a lease or agreement, renter insurance, or homeowners insurance; and

(l) A change in expenditures that results in financial hardship not attributable to mismanagement of the client's funds.

(6) Each client's unique circumstances will determine the need for an increase or decrease of an in-home subsidy.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History—New \_\_\_\_\_.

**65G-13.008 Payment**

(1) Details regarding the intent and payment plan of the in-home subsidy shall be documented by the client's support

coordinator in the client’s support plan or its addendum which shall be maintained in the client’s central record.

(2) Upon receipt of an approved invoice, payments shall be made to the entity for which the subsidy is being requested (such as a landlord or utility or phone company) in lieu of payments directly to the client or client’s guardian whenever possible.

(3) If the client has been adjudicated incompetent, payments will be made to the guardian, appointed fiscal agent, or representative payee when payments directly to the vendor are not possible. The guardian, client’s fiscal agent, or representative payee, who receives the funds on behalf of the client, shall not be the provider of the client’s IFS.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History–New \_\_\_\_\_.

**65G-13.009 Notice of Denial or Change of In-Home Subsidy Amount**

(1) The Agency shall inform the client of the decision to deny, partially approve, reduce, or terminate an in-home subsidy by providing adequate notice of any rights to an administrative hearing pursuant to sections 120.569, and 120.57, F.S. Circumstances for a denial include, but are not limited to, the following:

(a) The client does not reside in an eligible supported living arrangement as defined in sections 393.063(43) or 393.0695, F.S., and chapter 65G-5, F.A.C.;

(b) The client is requesting an in-home subsidy for items not authorized by subsection 393.0695(2), F.S., and chapter 65G-13, F.A.C.;

(c) The client’s request exceeds the limits of the Agency’s appropriated funds;

(d) The client’s request does not contain documentation demonstrating the need of the requested in-home subsidy; and

(e) The client’s request is in excess of the client’s needs to remain in the client’s own home pursuant to the Individual Financial Profile.

Rulemaking Authority 393.066, 393.0663, 393.0695, 393.501, F.S. Law Implemented, 393.063, 393.066, 393.0663, 393.0695, F.S. History–New \_\_\_\_\_.

**Section II  
Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-5.0031  
RULE TITLE: Audited Financial Statements

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule language to be consistent with terminology used in accounting. The effect is that the Board’s rule will, when amended, be consistent with professional terminology.

SUMMARY: The proposed amendment updates the rule to reference the current names of the accounting principles that are to be followed when audited financial statements are submitted to the Department by Florida licensed employee leasing companies, and refers the public to definitions in rule 61G7-6.001.

**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: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G7-5.0031 Audited Financial Statements.**

(1) through (2) No change.

(3) All audited financial statements must be prepared in accordance with ~~generally accepted~~ accounting principles generally accepted in the United States of America (formally referred to as GAAP), as defined in rule 61G7-6.001(9) pursuant to Rule 61H1 22.003, F.A.C., and must be audited in accordance with ~~generally accepted~~ auditing standards generally accepted in the United States of America (formally known as GAAS), as defined in rule 61G7-6.001(10) pursuant to Rule 61H1 22.002, F.A.C.

(4) Through (5) No Change.

~~Rulemaking Specific~~ Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(c)-(e) FS. History—New 8-17-94, Amended 5-26-96, 9-5-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: RULE TITLE:

61G7-5.0032 Reviewed Financial Statements

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule language to be consistent with terminology used in accounting. The effect is that the Board’s rule will, when amended, be consistent with professional terminology.

SUMMARY: The proposed amendment updates the rule to reference the current names of the accounting principles that are to followed when reviewed financial statements are submitted to the Department by Florida licensed employee leasing companies, and refers the public to definitions in rule 61G7-6.001.

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: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G7-5.0032 Reviewed Financial Statements.**

(1) through (2) No change.

(3) All reviewed financial statements must be prepared in accordance with ~~generally accepted~~ accounting principles generally accepted in the United States of America (formally referred to as GAAP), as defined in rule 61G7-6.001(9) pursuant to Rule 61H1 22.003, F.A.C., and must be reviewed in accordance with Statements on Standards for Accounting and Review Services (SSARS), as defined in rule 61G7-6.001(11) pursuant to Rule 61H1 22.004, F.A.C.

(4) through (5) No change.

Rulemaking Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(c)-(e) FS. History–New 8-17-94, Amended 5-26-96, 9-5-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: RULE TITLE:  
61G7-5.0033 Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule language to be consistent with terminology currently used in accounting. The effect is that the Board’s rule will, when amended, be consistent with current professional terminology.

SUMMARY: The proposed amendment updates the rule to reference the current name of the general accounting principles that are to be followed when consolidated or combined reviewed or audited financial statements are submitted to the Department by Florida licensed employee leasing companies, and refers the public and licensees to definitions in rule 61G7-6.001.

**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: 468.522 FS.  
LAW IMPLEMENTED: 468.525(2)(c), (3)(e), 468.526 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:  
**61G7-5.0033 Consolidated and Combined Financial Statements.**

(1) All reviewed or audited financial statements submitted to the Department by Florida licensed employee leasing companies shall be presented in accordance with ~~Generally Accepted~~ Accounting Principles generally accepted in the United States of America (formally referred to as GAAP), as required by Section 468.525(3)(d), F.S., and defined in rule 61G7-6.001(9).

(2) Through (5) No Change.  
Rulemaking Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(2)(c), (3)(c)-(e), 468.526(2) FS. History-New 5-26-96, Amended 9-5-04, 11-9-06, 8-1-11, 2-8-16, 2-28-18, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: RULE TITLE:  
61G7-6.001 Definitions

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule language to be consistent with terminology used in accounting and to clarify the scope and meaning of terms used in section 468.525. The effect is that the Board’s

rule will, when amended, be consistent with professional terminology as well as provide the scope, meaning, and purpose of required service agreement language.

**SUMMARY:** The proposed amendment updates the existing rule by proposing current definitions in place of outdated and repealed definitions as well as by adding new definitions to clarify the service agreement language required by 468.525.

**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:** 468.520, 468.522, 468.525 FS.

**LAW IMPLEMENTED:** 468.520, 468.522, 458.525(4)(b), 468.529(1) 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:** Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com

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

**61G7-6.001 Definitions.**

To enable the Board and the Department to administer Part XI of Chapter 468, F.S., the Board hereby interprets the following terms as used in the definition of employee leasing as follows:

~~(1) “Assumes responsibility for the payment of wages” as used in Section 468.525(4)(b), F.S., means the obligation of the employee leasing company to comply with the terms of employment established by the employee leasing company with an employee relating to the payment of wages of the employee. The term does not include any obligation on the part of the employee leasing company to assume any contractual obligation which may exist between a client of an employee leasing company and any leased employee, or any other compensation or benefit, in any form, unless the employee leasing company specifically adopts such obligations by way of a written agreement entered into with the leased employee.~~

~~(2) “Full Responsibility” as used herein to determine whether an employee leasing company’s contractual arrangements comply with the conditions as set forth in Section 468.525(4), F.S., means complete and total responsibility for the collection of and payment of all payroll taxes on payroll reported to and paid by the employee leasing company, which are payable to the Internal Revenue Service and/or to the State of Florida for services performed by leased employees as leased employees.~~

~~(1)(3) “Health benefits or health plan,” as used in Section 468.529, F.S., means provision of comprehensive major medical health benefits.~~

~~(2)(4) “Intangible assets” as used herein to enable initial applicants to properly report their financial assets to meet the requirements for licensure, means assets that lack physical substance. The value of intangible assets is generally based on the value of the rights inherent in them or results from allocation of costs incurred to future periods, in which case they have no realizable or recoverable value outside of their ability to benefit future earnings in the normal course of operations. Intangible assets are normally subject to amortization. Examples of intangible assets include goodwill, copyrights, trademarks, patents, organization costs, deferred costs, client enrollment costs, and excess of assets acquired over purchase price.~~

~~(3)(5) “Primarily responsible” as used in Section 468.529(1), F.S., means that the admitted carrier is liable for all claims incurred under the plan of insurance during its effective period, regardless of any reimbursement or indemnification agreement between the licensed employee leasing company and the carrier. Any reimbursement or indemnification agreement between the employee leasing company and the admitted insurance carrier shall not limit or diminish the carrier’s primary responsibility for its obligations under the health plan for the payment of claims incurred or the provision of benefits under the health plan.~~



~~(4)(6)~~ “Shared responsibility” as used in Section 468.525(4)(a), F.S., means that the client company exercises such right of direction and control over the leased employee as is necessary to conduct its business and without which the client would be unable to conduct its business, discharge any fiduciary responsibility which it may have, or comply with any applicable licensure, regulatory, or other responsibilities the client company may have.

~~(5)(7)~~ “Tangible accounting net worth” means net worth presented in accordance with ~~generally accepted~~ accounting principles generally accepted in the United States of America (as defined in Rule ~~61G7-6.001(9)61H1 20.007, F.A.C.,~~ incorporated herein by reference and effective April 24, 2001), reduced by the aggregate amount of intangible assets.

~~(6)(8)~~ “Temporary” as used in Section 468.520(4), F.S., means a situation in which leased employees are not needed on a long-term, ongoing basis, but rather are only needed to support or supplement the client company’s work force in special work situations, such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects, for a period not to exceed one year.

(7) No reservation, assumption, or retention by an employee leasing company of any responsibility, obligation, authority, or right as set forth in section 468.525(4)(a)-(f) is meant to, or shall be interpreted to, in any way imply or establish a joint employer relationship with any client or to in any way impact a client’s sole responsibility to conduct its business, discharge any fiduciary responsibility that it may have, or comply with any applicable licensure, regulatory, or statutory requirement of the client. The client shall be entitled to exercise all rights, and shall be obligated to perform all duties and responsibilities, otherwise applicable to it as an employer in an employment relationship. Without limiting the foregoing, the following definitions shall apply:

(a) “Assumes responsibility for the payment of wages” as used in Section 468.525(4)(b), F.S., means the obligation of the employee leasing company to comply with the terms of employment established by the employee leasing company with an employee relating to the payment of wages of the employee. The term does not include any obligation on the part of the employee leasing company to assume any contractual obligation which may exist between a client of an employee leasing company and any leased employee, or any other compensation or benefit, in any form, unless the employee leasing company specifically adopts such obligations by way of a written agreement entered into with the leased employee.

(b) “Full Responsibility” as used herein to determine whether an employee leasing company’s contractual arrangements comply with the conditions as set forth in Section 468.525(4)(c), F.S., means complete and total responsibility for the collection of and payment of all payroll taxes on payroll

reported to and paid by the employee leasing company, which are payable to the Internal Revenue Service and/or to the State of Florida for services performed by leased employees as leased employees.

(c) “Reserves a right of direction and control over leased employees assigned to the client’s location” as used in Section 468.525(4)(a), F.S., does not imply or require the actual exercise of such direction and control by the employee leasing company. Additionally, the term does not give the employee leasing company the obligation to direct, control, or supervise the work performed by leased employees or give the employee leasing company the right to modify employment conditions of leased employees or to act or interfere with a client’s action. Such reserved right of direction and control shall be imputed for the limited purpose of the employee leasing company’s employer status pursuant to Section 468.529, F.S. with regard to its insurance, employment tax, and benefit plans. The client shall exercise such direction and control as may be allocated to the client, in writing, and in conformity with Florida law.

(d) “Retains authority to hire, terminate, discipline, and reassign the leased employees” as used in Section 468.525(4)(d), F.S., means the employee leasing company has the right to add and remove leased employees from its payroll, but it does not imply or require the actual exercise of such authority by the employee leasing company at the job site at which or from which the leased employees work. The client shall exercise such authority as may be allocated to it in writing and in conformity with applicable law.

(e) “Retains a right of direction and control over management of safety, risk, and hazard control at the worksite or sites affecting its leased employees, including:

1. Responsibility for performing safety inspections of client equipment and premises;

2. Responsibility for the promulgation and administration of employment and safety policies; and

3. Responsibility for the management of workers’ compensation claims, claims filings, and related procedures;”

as used in Section 468.525(4)(e), F.S., means the employee leasing company has the right and responsibility to monitor compliance with such workers’ compensation insurance as is maintained by the employee leasing company for leased employees for purposes of the employee leasing company’s internal risk management and to manage workers’ compensation claims, claims filings, and related procedures with respect to such workers’ compensation insurance. It does not mean that the employee leasing company is responsible, independently or jointly, for the client’s obligations with respect to workplace safety, nor does it imply or require the actual exercise of such direction and control by the employee leasing company. The client shall exercise such direction and

control as may be allocated to the client, in writing, and in conformity with applicable law.

(8) As used in Section 468.529, F.S. an employee leasing company’s “employer” status shall only apply to insurance it is required to maintain with respect to leased employees, including providing workers’ compensation coverage pursuant to chapter 440; payment of employment tax for purposes of wages it issues to leased employees, including payment of reemployment assistance taxes pursuant to chapter 443; and benefit plans it sponsors covering leased employees, to the extent consistent with applicable law; and shall not affect the status of a client as an employer of its own leased employees under applicable law nor imply or establish that an employee leasing company and its client are joint employers.

(9) “Accounting principles generally accepted in the United States of America (formally referred to as GAAP),” previously known as “generally accepted accounting principles (GAAP)” as referenced in Section 468.525(3)(d), F.S., shall be deemed and construed to mean a common set of accounting principles and standards issued by the Financial Accounting Standards Board (FASB), as updated by the FASB through June 2021, incorporated by this reference and available at <http://www.fasb.org>. “Reserves a right of direction and control over leased employees assigned to the client’s location” does not require the actual exercise of such direction and control by the employee leasing company at the job site at which or from which leased employees work. The client shall be allowed to exercise such direction and control as may be allocated to the client, in writing, and in conformity with Florida law.

(10) “Auditing standards generally accepted in the United States of America (formally referred to as GAAS)” shall be deemed and construed to mean a set of systematic guidelines and standards used by auditors when conducting audits on companies’ financial statements, as updated by the American Institute of Certified Public Accountants (AICPA), as amended and updated through December 2019 by the AICPA Auditing Standard Board (ASB), and standards promulgated by the ASB in the form of Statements on Auditing Standards, incorporated by this reference and available at <http://www.aicpa.org>. “Retains authority to hire, terminate, discipline, and reassign the leased employees” does not require the actual exercise of such authority by the employee leasing company at the job site at which or from which the leased employees work. The client shall be allowed to exercise such authority as may be allocated to the client, in writing, and in conformity with Florida Law.

(11) “Statements on Standards for Accounting and Review Services (SSARS)” shall be deemed and construed to mean Statements on Standards for Accounting and Review Services published by the American Institute of Certified Public Accountants in effect as of June 1, 2020, incorporated by this reference and available at <http://www.aicpa.org>. “Retains a

~~right of direction and control over management of safety, risk, and hazard control at the worksite or sites affecting its leased employees, including:~~

~~(a) Responsibility for performing safety inspections of client equipment and premises.~~

~~(b) Responsibility for the promulgation and administration of employment and safety policies.~~

~~(c) Responsibility for the management of workers’ compensation claims, claims filings, and related procedures.”~~

~~does not require the actual exercise of such direction and control by the employee leasing company at the work site at which or from which the leased employees work. The client shall be allowed to exercise such direction and control as may be allocated to the client, in writing, and in conformity with Florida law.~~

~~Rulemaking Specific Authority 468.520, 468.522, 468.525 FS. Law Implemented 468.520, 468.522, 468.525(3), (4)(a)-(e)(b), 468.529(1) FS. History—New 7-20-92, Formerly 21EE-6.001, Amended 9-14-93, 10-24-94, 7-18-95, 4-26-01, 10-13-03, 8-18-04, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:           RULE TITLE:

61G15-19.008   Confidentiality of Investigations

PURPOSE AND EFFECT: The purpose of the amendment is to clarify other types of structures.

SUMMARY: Update rule text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and

experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 471.038(7) FS.

LAW IMPLEMENTED: 471.038(7) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308, (850)521-0500 or by electronic mail ZRaybon@fbpe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G15-19.008 Confidentiality of Investigations.**

The following violations have been deemed to involve the potential for substantial physical or financial harm to the public:

(1) Negligence, as defined in subsection 61G15-19.001(4), F.A.C., or misconduct, as defined in subsection 61G15-19.001(6), F.A.C., involving either threshold buildings as defined in Section 553.71(7), F.S.; or the collapse or major damage to any structure; or leading to death or serious physical injury of any person.

(2) No later than 90 days prior to December 31, 2022, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2022.

Rulemaking Authority 471.038(7) FS. Law Implemented 471.038(7) FS. History—New 5-20-02, Amended 6-5-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2021

**DEPARTMENT OF JUVENILE JUSTICE**

**Staff Training**

| RULE NOS.: | RULE TITLES:  |
|------------|---|
| 63H-1.001  | Purpose and Scope   |
| 63H-1.002  | Definitions   |
| 63H-1.003  | Authorized Levels of Response   |
| 63H-1.004  | Authorized Techniques   |
| 63H-1.005  | Authorized Mechanical Restraints  |
| 63H-1.006  | Supervision of Youth in Mechanical Restraints                                 |
| 63H-1.007  | Documentation and Retention of Records  |
| 63H-1.008  | Medical Requirements for Training   |
| 63H-1.009  | Certification   |
| 63H-1.010  | Cross-Over Training   |
| 63H-1.011  | Rehired Employee Training   |
| 63H-1.012  | Annual Training Requirement   |
| 63H-1.013  | Testing Requirements  |
| 63H-1.014  | Training Instructor Qualifications  |
| 63H-1.015  | Training Instructor Certification Renewal                                     |
| 63H-1.016  | Law Enforcement, County, and Municipally Operated Facilities and Partnerships |

PURPOSE AND EFFECT: This rule chapter is being repealed, as it is being replaced by rule chapter 63H-3.

SUMMARY: The repealed rule sections establish the Department's verbal and physical intervention regime for youth in Department-operated and contracted facilities and programs.

**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: Current information indicates that the statutory threshold for ratification will not be exceeded by the repeal of these rule sections.

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: 985.64, 985.645 FS.

LAW IMPLEMENTED: 985.645 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, January 20, 2022, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, email: john.milla@fldjj.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

**63H-1.001 Purpose and Scope.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645 FS. History–New 11-19-06, Amended 1-13-09, 7-5-11, Repealed.

**63H-1.002 Definitions.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645 FS. History–New 11-19-06, Amended 3-4-07, 1-13-09, 7-5-11, Repealed.

**63H-1.003 Authorized Levels of Response.**

(1) LEVEL 1 RESPONSE – This level of employee response consists of verbal intervention techniques and shall be utilized in

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(a) FS. History–New 11-19-06, Amended 1-13-09, Repealed.

**63H-1.004 Authorized Techniques.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(a) FS. History–New 11-19-06, Amended 3-4-07, 7-5-11, Repealed.

**63H-1.005 Authorized Mechanical Restraints.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(a), 944.241 FS. History–New 11-19-06, Amended 1-2-13, Repealed.

**63H-1.006 Supervision of Youth in Mechanical Restraints.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(a) FS. History–New 11-19-06, Amended 7-5-11, Repealed.

**63H-1.007 Documentation and Retention of Records.**

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(a) FS. History–New 11-19-06, Repealed.

**63H-1.008 Medical Requirements for Training.**

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(b) FS. History–New 11-19-06, Repealed.

**63H-1.009 Certification.**

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(b), (e) FS. History–New 11-19-06, Repealed.

**63H-1.010 Cross-Over Training.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(b) FS. History–New 11-19-06, Amended 7-5-11, Repealed.

**63H-1.011 Rehired Employee Training.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(b) FS. History–New 11-19-06, Amended 1-13-09, 7-5-11, Repealed.

**63H-1.012 Annual Training Requirement.**

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(b) FS. History–New 11-19-06, Repealed.

**63H-1.013 Testing Requirements.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(b) FS. History–New 11-19-06, Amended 7-5-11, Repealed.

**63H-1.014 Training Instructor Qualifications.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(c) FS. History–New 11-19-06, Amended 8-4-09, 7-5-11, Repealed.

**63H-1.015 Training Instructor Certification Renewal.**

Rulemaking Authority 985.405, 985.4055 FS. Law Implemented 985.4055(2)(c) FS. History–New 11-19-06, Repealed.

**63H-1.016 Law Enforcement, County, and Municipally Operated Facilities and Partnerships.**

Rulemaking Authority 985.64, 985.645 FS. Law Implemented 985.645(2)(d) FS. History–New 11-19-06, Amended 7-5-11, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cina Wilson-Johnson, Director of Staff Development & Training

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Josefina Tamayo, Acting Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 22, 2021

**DEPARTMENT OF JUVENILE JUSTICE**

**Staff Training**

|            |                                  |
|------------|----------------------------------|
| RULE NOS.: | RULE TITLES:                     |
| 63H-2.001  | Purpose and Scope                |
| 63H-2.002  | Definitions                      |
| 63H-2.003  | Contracted Residential Staff     |
| 63H-2.004  | Contracted Non-Residential Staff |
| 63H-2.005  | State Residential Staff          |
| 63H-2.006  | State Non-Residential Staff      |
| 63H-2.007  | Detention Staff                  |
| 63H-2.0075 | County Operated Detention        |
| 63H-2.008  | Instructor Qualifications        |

PURPOSE AND EFFECT: This rule chapter is being repealed, as it is being replaced by rule chapter 63H-3.

SUMMARY: The repealed rule sections govern the Department's training of direct-care staff working in Department-operated and contracted facilities and programs.

**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: Current information indicates that the statutory threshold for ratification will not be exceeded by the repeal of these rule sections.

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: 20.316, 985.601 FS.

LAW IMPLEMENTED: 985.02, 985.601 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, January 20, 2022, at 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, email: john.milla@fldjj.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

**63H-2.001 Purpose and Scope.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History—New 6-11-07, Amended 4-5-11, Repealed \_\_\_\_\_.

**63H-2.002 Definitions.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History—New 6-11-07, Amended 4-5-11, Repealed \_\_\_\_\_.

**63H-2.003 Contracted Residential Staff.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.601(8) FS. History—New 6-11-07, Amended 9-30-07, 5-15-08, Repealed \_\_\_\_\_.

**63H-2.004 Contracted Non-Residential Staff.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.601(8) FS. History—New 6-11-07, Amended 5-15-08, Repealed \_\_\_\_\_.

**63H-2.005 State Residential Staff.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.601(8) FS. History—New 6-11-07, Amended 5-15-08, 8-4-09, Repealed \_\_\_\_\_.

**63H-2.006 State Non-Residential Staff.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.601(8) FS. History—New 6-11-07, Amended 5-15-08, 8-4-09, Repealed \_\_\_\_\_.

**63H-2.007 Detention Staff.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8), (9)(b) FS. History—New 6-11-07, Amended 8-4-09, Repealed \_\_\_\_\_.

**63H-2.0075 County Operated Detention.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.601(8) FS. History—New 4-5-11, Repealed \_\_\_\_\_.

**63H-2.008 Instructor Qualifications.**

Rulemaking Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History—New 6-11-07, Amended 4-5-11, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cina Wilson-Johnson, Director of Staff Development & Training

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Josefina Tamayo, Acting Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 22, 2021

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-46.005  
RULE TITLE: Wireless Facilities

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. 45 No. 215, November 4, 2019 issue of the Florida Administrative Register.

Changes were made to Rule 14-46.005, F.A.C. as follows:

14-46.005 Wireless Facilities Utilities

(1) No change.

**(2) Application.** This rule applies to all new Wireless Equipment and structures intended to support the installation of Wireless Equipment, including utility permit applications pending on the date this rule becomes effective. Existing Wireless Equipment and structures to which Wireless Equipment is attached do not require new utility permits provided that they were installed in accordance with all applicable laws, regulations, and leases in effect at the time of installation.

**(3)(2) Terms and Acronyms.** All terms in this rule shall have the same meaning as those in Section 334.03, F.S. Additionally, the following terms are defined:

**(a) Collocate:** to attach, install, or mount Small Wireless Equipment on, under, or within an existing structure.

**(b)(a) Wireless Equipment:** ~~means~~ equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber optic cable or other cables, and equipment associated with wireless communications. The term includes Small Wireless Equipment. The term does not include any structure or pole on which the equipment is attached, physical lines for backhaul facilities, physical lines between wireless structures, or technology

installed as part of or in support of electric distribution pursuant to and consistent with UAM Section 2.3.1(8).

~~(c)(b)~~ **Small Wireless Equipment:** means Wireless Equipment that meets all the following conditions:

1. No change.
2. No change.
3. Does not extend more than 10% above or more than ten feet above the ~~structure~~ **Small Wireless Structure** to which it is attached, ~~whichever is greater.~~

~~(d)(e)~~ **Small Wireless Structure:** means an existing, proposed, or new pole, ~~cable strung between structures,~~ or other structure that has or is intended to have Small Wireless Equipment attached to it and ~~such structure~~ is not taller than 50 feet above ground level ~~at the location of installation.~~

~~(e)(d)~~ **UAM:** 2017 Utility Accommodation Manual, as incorporated in Rule 14-46.001, F.A.C.

~~(f)(e)~~ **UAO:** The Utility Agency/Owner of Small Wireless Equipment, a Small Wireless Structure, or both.

~~(4)(3)~~ **Utility Permits.** No Wireless Equipment ~~or structures intended to support the installation of Wireless Equipment,~~ other than Small Wireless Equipment ~~and attached to a Small Wireless Structures, Structure~~ may be installed, replaced, or erected in the FDOT rights-of-way pursuant to a utility permit ~~in FDOT right of way.~~ **Small Wireless Equipment** may be collocated on existing structures in the FDOT rights-of-way pursuant to utility permit. Utility permit applications for Small Wireless Structures must include Small Wireless Equipment. This provision shall not preclude the right of a Department lessee to install, locate, or maintain other wireless equipment in accordance with the terms of their lease with the Department.

(a) The UAO shall obtain a utility permit pursuant to the UAM prior to installing Small Wireless Equipment in FDOT's right-of-way. The UAO shall comply with this rule and the UAM. To the extent the UAM and this rule conflict, this rule shall control; however, if the conflict is one in which this rule is silent and the UAM addresses the specific circumstance at issue, the UAM shall control.

(b) An existing structure that is already authorized to be within FDOT's right-of-way may be used to collocate as a Small Wireless Equipment Structure provided it meets the requirements of this rule and the UAM. If the existing structure is owned by a third party, the UAO must obtain the owner's consent for attachment prior to applying for a permit.

~~(5)(4)~~ **Placement Limitations.** The UAO shall not install or maintain any Small Wireless Equipment pursuant to a utility permit that interferes with the function of, replaces, or is intended to replace any FDOT structure, transportation facility, or equipment, including Wireless Equipment.

~~(6)(5)~~ **Signal Interference.** The UAO shall comply with all applicable Federal Communication Commission regulations

~~Regulations~~ relating to signal interference. If, at any time, including after installation of the Small Wireless Equipment, the UAO's Small Wireless Equipment interferes with any existing, proposed, or new FDOT Wireless Equipment, the UAO shall immediately eliminate the interference. If the UAO's Small Wireless Equipment interferes with any previously permitted Wireless Equipment in FDOT's rights-of-way, the UAO shall immediately eliminate the interference.

~~(7)(6)~~ **Utility Permit Application Package.** Application for a wireless utility permit shall be made through the online One-Stop Permitting website available at: <https://osp.fdot.gov>. In addition to the submittals required ~~by the in~~ **UAM Section 2.4**, the UAO shall include the following:

(a) If the Small Wireless Equipment is collocated on attached to a structure ~~Small Wireless Structure~~ owned by a third-party, documentation from both the UAO and the third-party certifying shall certify that the UAO is authorized to collocate attach its Small Wireless Equipment on to the third-party's structure ~~Small Wireless Structure;~~ Such documentation from the third-party may include the first and last page of an agreement between the UAO and the third-party, a statement in writing signed by an authorized representative of the third-party, or an e-mail from an authorized representative of the third-party. The documentation may address more than one structure owned by the third-party to which the UAO is authorized to collocate Small Wireless Equipment;

(b) ~~Plan Plans~~ view drawings (preferably to scale) showing the location of the proposed Small Wireless Equipment and structure to which it is attached ~~Small Wireless Structure~~, including the power source; and

(c) Documentation stating An engineering analysis documenting the operational frequency band of the proposed Small Wireless Equipment, any potential interference effects, and an RF interference survey.

Rulemaking Authority 334.044(2), 337.401(1), FS. Law Implemented 337.251, 337.401, 337.402, 337.403, 339.041(4), 365.172(13)(f) FS. History—New\_\_\_\_\_.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE No.:           RULE TITLE:  
53ER21-66        CASH POP™

SUMMARY OF THE RULE: This emergency rule describes "CASH POPTM" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; and value of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-66 CASH POP™.

(1) How to Play CASH POP™.

(a) CASH POP is a Draw lottery game (also known as an online terminal game) in which a player selects one number from 1 through 15, inclusive, for a chance to win a cash prize. The selection of a single number is one (1) “play.”

(b) Players may choose play amounts of \$1.00, \$2.00, or \$5.00 per play. The play amount will determine the possible cash prize generated by the system. The prize structure and odds are set forth in subsection (2), below.

(c) For purposes of this rule, a “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for the CASH POP game or a digital play slip for the CASH POP game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary to differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(d) Players may make their CASH POP ticket selections by: using a play slip; using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting the Play it Again feature.

(e) Play Slip.

1. Paper Play Slips.

a. A CASH POP paper play slip contains five (5) panels. The manner of play described in this section is for a single panel; each of the five panels is played in the same manner. Each panel has three (3) sections.

The first section lists numbers one (1) to fifteen (15). On a play slip, players must mark at least one number to play. A player may mark additional numbers, up to fifteen (15) for additional plays. A player may mark the “Play All” spot to play all fifteen numbers. All numbers chosen are played in the next available drawing. A player may also mark Quick Pick (QP) for the terminal to randomly select one number. A player will mark his/her desired choice/s with an “X” using blue or black ink or a pencil.

In the second section of a panel on a play slip, a player will mark the dollar amount he/she wishes to play. The possible play amounts are \$1.00, \$2.00, or \$5.00. Only one (1) play amount can be chosen per panel on a play slip, and the play amount chosen will be applied to each number played in that panel. If a player does not mark a dollar amount, the default will be \$1.00.

In the third section of a panel on the play slip, a player may select the number of consecutive drawings he/she wishes to play. (Consecutive drawings may also be known as advance play.) The number of consecutive drawing choices are one (1), two (2), three (3), four (4), five (5), or ten (10). The count for the number of consecutive drawings includes the next available drawing for which a ticket is purchased. For example, choosing four (4) consecutive drawings will give the player a total of four (4) drawings, the next available drawing plus the next three (3) drawings for a total of four (4). If a player chooses one (1) consecutive drawing, only the next available drawing is played, and the player will have no additional drawings played. The number/s played and play amount will be the same for each consecutive drawing. Only one (1) value for the number of consecutive drawings can be chosen on a panel. If no number of consecutive drawings is chosen, the play is for the next available drawing only.

b. A separate ticket will be produced for each panel and for each drawing and will display all numbers chosen on the panel. The system-generated prize amount will print immediately beneath each number played. For each consecutive drawing, if any, a separate ticket will print and the prize amount/s may differ for the number/s played. The prize amount/s in a subsequent drawing are not determinative or dependent on the prize amount/s of a previous drawing.

c. Players should carefully check their play slip for accuracy in their desired selections since CASH POP tickets cannot be cancelled. If an error is made in a panel, the player will mark the Void box. Marking the Void box will apply to all choices made in a panel.

d. The total cost to play one (1) panel on a ticket is equal to the number of number/s played times the play amount times the number of consecutive draws.

e. The odds of winning a given prize are listed in subsection (2), below.

f. Each of the five (5) panels are played in the manner described above. One or more panels, up to five, may be played on a play slip. A ticket will be produced for each panel played and for each drawing played.

g. Paper play slips must be Florida Lottery approved. Paper play slips may be processed through a Florida Lottery full-service vending machine or processed by a Florida Lottery retailer to obtain a ticket.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the CASH POP game icon and then click on “Pick Numbers.” The player may either select his or her numbers from one (1) through (15) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player a random number. A player must also select the play amount (\$1.00, \$2.00, or \$5.00), which will apply to all numbers played, and, if more than the

default of one drawing is desired, select the number of consecutive drawings. Players may also use the “My Favorites” feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player will present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine. Illustrative instructions for creating a CASH POP digital play slip are available by clicking on the “How to Play” button on the main CASH POP page.

(f) Vending Machine. If a vending machine is available at a retailer location and if the vending machine has the options set forth herein, the vending machine may be used by a player to make Quick Pick selections; manual selections; and process both paper and digital CASH POP play slips.

(g) Telling the Retailer. Retailers are authorized to manually enter player choices. Players electing to make their CASH POP ticket selections by telling the retailer must specify the number/s desired to be played, the play amount, and the consecutive number of drawings. A player may also tell the retailer to use the quick pick feature for the terminal to randomly select one or more numbers (1 through 15). If Quick Pick is chosen by a player, a player must also tell the retailer the play amount and the number of consecutive drawings desired.

(h) Play it Again.

1. A player may request to “Play it Again” to replay a previously purchased CASH POP ticket. If requested, a retailer shall process the original ticket provided by the player and print new ticket/s which will have the same selected number/s, play amount, and number of consecutive drawings as the original ticket, except as provided in subparagraph (1)(h)2., below. New possible prize amount/s will be generated.

2. In the event of a Lottery decision to step down the CASH POP game, an original ticket will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of drawings that are available at the time of requested ticket replay. Tickets older than sixty (60) days cannot be replayed.

(2) CASH POP Prizes and Odds.

(a) The odds of any one of the numbers, one (1) through (15), coming up in a drawing are 1 in 15.

(b) The odds of winning a given prize on a ticket for a \$1 Play, for one number, are:

| PRIZE   | ODDS OF 1 IN: |
|---------|---------------|
| \$5.00  | 31            |
| \$7.00  | 75            |
| \$10.00 | 105           |
| \$15.00 | 180           |
| \$20.00 | 270           |
| \$25.00 | 675           |

|          |        |
|----------|--------|
| \$50.00  | 2,625  |
| \$100.00 | 5,250  |
| \$250.00 | 15,000 |

(c) The odds of winning a given prize on a ticket for a \$2 Play, for one number, are:

| PRIZE    | ODDS OF 1 IN: |
|----------|---------------|
| \$10.00  | 31            |
| \$14.00  | 90            |
| \$20.00  | 105           |
| \$30.00  | 150           |
| \$40.00  | 225           |
| \$50.00  | 525           |
| \$100.00 | 2,250         |
| \$200.00 | 4,500         |
| \$500.00 | 15,000        |

(d) The odds of winning a given prize on a ticket for a \$5 Play, for one number, are:

| PRIZE      | ODDS OF 1 IN: |
|------------|---------------|
| \$25.00    | 30            |
| \$35.00    | 105           |
| \$50.00    | 120           |
| \$75.00    | 150           |
| \$100.00   | 180           |
| \$125.00   | 360           |
| \$250.00   | 2,100         |
| \$500.00   | 4,125         |
| \$1,250.00 | 15,000        |

(e) The CASH POP prize structure will be replenished automatically as each ticket is sold in each prize tier. The odds remain the same for each ticket purchase for the life of the game.

(3) CASH POP Drawings.

(a) CASH POP game drawings are conducted five (5) times daily, seven days per week, by the Florida Lottery for the approximate times: 8:45:05 a.m.; 11:45:05 a.m.; 2:45:05 p.m.; 6:45:05 p.m.; and 11:45:05 p.m. All times are eastern standard time. Ticket sales for a specific CASH POP drawing will close approximately five (5) seconds prior to that drawing. Any ticket sold after the close will be printed with the next available CASH POP draw date and time. Draw times and dates cannot be chosen by a player, and tickets purchased are for the next available drawing. Any consecutive drawings chosen by a player are those directly after the next available drawing.

(b) One number from one (1) through fifteen (15) will be selected in each drawing. Computer automated drawings will be used and verified by a certified public accounting firm. Animated versions/digital reveals will be available on the Florida Lottery’s website, and players can use the Florida Lottery App or visit a Lottery retailer to view the winning number or check their ticket to see if it’s a winner.



(c) The Florida Lottery shall not be responsible for incorrect circulation, publication, or broadcast of official winning numbers.

(4) CASH POP Rules and Prohibitions.

(a) By purchasing a CASH POP ticket, the player agrees to comply with and abide by all rules and regulations of the Florida Lottery and applicable law.

(b) CASH POP prize payments, taxation, deadlines for claiming, and other related matters shall be in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and gaming system availability, CASH POP lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) CASH POP tickets cannot be cancelled.

(5) The effective date of this emergency rule is December 28, 2021.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History - New 12-28-21.

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: 12/28/2021

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER21-67: DRAW GAMES DRAWING PROCEDURES

SUMMARY OF THE RULE: This emergency rule describes the Lottery’s DRAW GAMES DRAWING PROCEDURES. The rule sets forth draw procedures for draw games that utilizes ball sets for drawings.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-67 Draw Games Drawing Procedures.

(1) This rule shall apply to Draw games (also known as online lottery games) drawings conducted by the Florida Lottery that utilize ball sets.

(2) Florida Lottery drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm (“Accountant”) who shall certify to the integrity, security and fairness of each drawing. All drawings shall be recorded by a video recorder.

(3) The ball sets and drawing machines used in Florida Lottery drawings shall be determined by random selection and shall be inspected by an employee of the Florida Lottery’s Security Division (“Draw Manager”) and the Accountant before and after each drawing. The Draw Manager and the Accountant shall ensure that all balls within a set contain the same security code. A primary and secondary ball set and drawing machine shall be selected for each draw.

(4) The primary ball sets shall be weighed. If the weight of the ball set is outside of the tolerance range provided by the manufacturer, the secondary ball set shall be weighed. If the secondary ball set is outside of the tolerance range, other ball sets shall be selected and weighed by the Draw Manager and Accountant until an acceptable set is determined.

(5) Once a ball set has been determined, it shall be loaded by the Draw Manager into the primary drawing machine and a number of test draws shall be conducted, as follows:

(a) FLORIDA LOTTO®.

1. For the FLORIDA LOTTO base game, six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

2. For Double Play, six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(b) For FANTASY 5®, seven test draws will be conducted. If the same digit is selected five times during the seven draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(c) For JACKPOT TRIPLE PLAY™ six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(d) PICK Daily Games™.

1. For PICK 5™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

2. For PICK 4™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

3. For PICK 3™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

4. For PICK 2™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

5. For the PICK Daily Games FIREBALL number, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(6) If the secondary ball set does not pass the test drawing parameters, the backup drawing machine will be used. Tests will be conducted with ball sets whose weight falls within the tolerance range until an acceptable ball set and drawing machine have been determined.

(7) If the game for which a drawing is being held cannot be closed on the gaming system, the drawing will be delayed until the game can be closed.

(8) During the drawing, balls will be mixed and pushed into the display devices by the action of an air blower. A ball must be “trapped” in the display position at the top of the mixing chamber to be a winning number.

(9) In the event of a power failure, drawing equipment malfunction or error in the drawing process, including but not limited to the Host/Hostess announcing a ball number that was not trapped as specified in subsection (8), the drawing will be stopped and will resume as soon thereafter as possible. The balls drawn before the occurrence, if any, will be declared valid.

(10) If a Draw Host/Hostess incorrectly announces the number of a ball that has been trapped in the display position, the Draw Manager shall immediately correct the Draw Host/Hostess by announcing the correct number.

(11) Upon certification by the Draw Manager and the Accountant, the numbers shown on the balls will be announced as the official winning numbers for the drawing.

(12) Following removal of the balls from the drawing machine, the ball set will be weighed. If the weight of the ball set differs from the pre-draw weight by more than 1 gram or is outside of the tolerance range provided by the manufacturer, the ball set will be secured and delivered to the Florida Lottery’s Division of Security for investigation.

(13) In the event a problem occurs that is not contemplated under this rule, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(14) The effective date of this emergency rule is December 28, 2021.

Rulemaking Authority 24.105(9)(d), 24.109(1) FS. Law Implemented 24.105(9)(d), 24.108(6) FS. History—New 12-28-21, Replaces 53ER21-13.

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

EFFECTIVE DATE: 12/28/2021

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on December 28, 2021, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(96) FAC (7/11/19) and the 2019 QAP from Sonata Apartments, Ltd. to permit the requested credit exchange, immediate return of Petitioner’s 2020 Housing Credit Allocation, and an immediate allocation of new Housing Credits.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATES AND TIMES: January 11, 2022, 9:00 a.m., Degree granting institutions; January 12, 2022, 9:00 a.m., Non-Degree granting institutions

PLACE: In-person at Mission Inn Resort & Club, 10400 County Road 48, Howey-In-The-Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: On January 11, 2022 beginning at 9:00 a.m. the Commission for

Independent Education will consider All Degree Granting Institutions and on January 12, 2022 beginning at 9:00 a.m. all Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Request for Variance, Applications for Exemption for Religious Colleges, Informal Hearings, Improper School Closure Reports, review and vote on application for recognition for Licensure by Means of Accreditation and the General Business of the Commission. Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting, and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the Chair. The Chair may impose a cumulative time limit for all public comment on any agenda item

A copy of the agenda may be obtained by contacting: The Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: The Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES announces a public meeting to which all persons are invited.

DATE AND TIME: FINAL MEETING NOTICE: January 11, 2022, 1:00 p.m. – 1:15 p.m. ET

PLACE: THIS WILL BE THE FINAL PHASE I ADVISORY BOARD MEETING. THIS MEETING WILL BE HELD VIA MICROSOFT TEAMS. PLEASE SEE DIAL-IN INFO BELOW.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

### AGENDA

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Q&A
- Adjourn

### Microsoft Teams meeting

Join on your computer or mobile app:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NTYwYWI5MzYtNmRhNC00YjY4LWEwM2YtNTYyYmQxZmI2ZWZl%40thread.v2/0?context=%7b%22id%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTYwYWI5MzYtNmRhNC00YjY4LWEwM2YtNTYyYmQxZmI2ZWZl%40thread.v2/0?context=%7b%22id%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d) or call in (audio only): (850)583-5466, 599438582# United States, Tallahassee, Phone Conference ID: 599 438 582#

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. 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 HIGHWAY SAFETY AND MOTOR VEHICLES**

The DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2022, 2:30 p.m. – 4:00 p.m. ET

PLACE: THIS MEETING WILL BE HELD VIA MICROSOFT TEAMS. PLEASE SEE DIAL-IN INFO BELOW.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to discuss and provide guidance & recommendations on Phase 2 of the Motorist Modernization Program.

**AGENDA**

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Phase II IV&V Update
- Stakeholder Outreach Update
- MM Phase II Program Update
- Financial Review
- Project Updates
- Communications Update
- Q&A
- Adjourn

Microsoft Teams meeting

Join on your computer or mobile app:  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MmFIYmMwYjgtZjRkYS00ZWRiLTlkOTUtYTI3MGNIZDE1ODBM%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmFIYmMwYjgtZjRkYS00ZWRiLTlkOTUtYTI3MGNIZDE1ODBM%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d) or call in (audio only): (850)583-5466, 362353834# United States, Tallahassee, Phone Conference ID: 362 353 834#

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. 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**  
 Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2022, 10:00 a.m.

PLACE: This meeting will be held in-person at 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782 and online via zoom  
<https://us02web.zoom.us/j/88147390842?pwd=WXh0RVZ2VG5vS2F3OUJYVYVBIUIUrZz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Policy Advisory Committee for the MacDill Installation Resilience Review (MIRR).

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

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

DATE AND TIME: Thursday, January 6, 2022, 1:30 p.m.

PLACE: Physical/Virtual Meeting - “Go to Meeting” by the web or conference call

1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/413404493>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 413-404-493

GENERAL SUBJECT MATTER TO BE CONSIDERED: To interview top ranked applicants and potentially select the winning bidder for the South Florida Military Installation Resilience Review Project Proposal Number: RFP #202102-MIRR-1

A copy of the agenda may be obtained by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or via email at [sfadmin@sfrpc.com](mailto:sfadmin@sfrpc.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: Administration at the South Florida Regional

Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or via email at sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or via email at sfadmin@sfrpc.com.

**DEPARTMENT OF CORRECTIONS**

The Florida Department of Corrections announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2022, 10:00 a.m.

PLACE: Florida Department of Corrections Headquarters Building, 501 South Calhoun Street, M35 Conference Room, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Under the authority of the Florida Criminal Justice Standards and Training Commission, Criminal Justice Standards and Training Region XVI, announces a regular schedule meeting of the Region XVI Training Council. The primary business of the meeting will be to discuss training and budget issues.

A copy of the agenda may be obtained by contacting: Florida Department of Corrections, attention Oscar Paz Soldan, Bureau of Professional Development and Training, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Employee Leasing Companies

The Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2022, 10:00 a.m.

PLACE: Via Telephone Conference Call. To connect, dial 1(888)585-9008, Conference Pass Code: 258-893-642

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Appraisal Board

The Probable Cause Panel of the Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 4, 2022, 9:00 a.m. ET

PLACE: Teleconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a private meeting to review cases to determine probable cause. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel and its 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.

**DEPARTMENT OF HEALTH**

Board of Nursing

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

DATE AND TIME: January 10, 2022, 9:00 a.m.

PLACE: Toll Free Number: 1(888)585-9008, 275-112-502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel Meeting for Public Disciplinary Cases.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)245-4125. 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.

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2022, 9:00 a.m.

PLACE: The Children's Board, 1002 E Palm Avenue, Tampa, FL 33605 or via Microsoft TEAMS: [https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjZiMGEwN2QtYTY5Yi00ZmJjLWEz)

[join/19%3ameeting\\_ZjZiMGEwN2QtYTY5Yi00ZmJjLWEz](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjZiMGEwN2QtYTY5Yi00ZmJjLWEz)  
[MzMtNDAwYTVmYmQxOTUw%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%228b363b1c-767b-49f4-a740-3bc17423496e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjZiMGEwN2QtYTY5Yi00ZmJjLWEz)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Ongoing Hillsborough County Alliance business.

A copy of the agenda may be obtained by contacting: Ilka Suda at 1(813)337-5805 or [ilka.suda@myflfamilies.com](mailto:ilka.suda@myflfamilies.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: Ilka Suda at 1(813)337-5805 or [ilka.suda@myflfamilies.com](mailto:ilka.suda@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 10, 2022, 2:00 p.m.

PLACE: Meeting via TEAMS - Join on your computer or mobile app

Click [\[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\\_ODVmY2NmYzktM2IyZi00YTdmLTg5YjMtZDIjYzNhNWl5NWYx%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-\]\(https://teams.microsoft.com/l/meetup-join/19%3ameeting\_ODVmY2NmYzktM2IyZi00YTdmLTg5YjMtZDIjYzNhNWl5NWYx%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-\)](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODVmY2NmYzktM2IyZi00YTdmLTg5YjMtZDIjYzNhNWl5NWYx%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-</a></p>
</div>
<div data-bbox=)

[cb411445a94c%22%2c%22Oid%22%3a%22372dd77e-d4a3-4595-9bf3-fb5c890f268d%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODVmY2NmYzktM2IyZi00YTdmLTg5YjMtZDIjYzNhNWl5NWYx%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%22372dd77e-d4a3-4595-9bf3-fb5c890f268d%22%7d)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Ongoing Pinellas Community Alliance business

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)373-7842.

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: Stephanie Allen at (727)373-7842. 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 ECONOMIC OPPORTUNITY**

Division of Workforce Services

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

DATE AND TIME: January 5, 2022, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 385 351 95 #.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Disposition of cases pending before the Reemployment Assistance Appeals Commission, and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at [RAAC.Inquiries@deo.myflorida.com](mailto:RAAC.Inquiries@deo.myflorida.com) or by visiting <https://www.floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission/raac-notices>.

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: The Commission Clerk at (850)692-0180. 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: The Commission Clerk at (850)692-0180.

Section VII  
 Notice of Petitions and Dispositions  
 Regarding Declaratory Statements

NONE

Section VIII  
 Notice of Petitions and Dispositions  
 Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
 Notices Regarding Bids, Proposals and  
 Purchasing

NONE

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., Wednesday, December 22, 2021 and 3:00 p.m., Tuesday, December 28, 2021.

| Rule No.  | File Date  | Effective Date |
|---|------------|----------------|
| 53ER21-66   | 12/28/2021 | 12/28/2021     |
| 53ER21-67   | 12/28/2021 | 12/28/2021     |
| 60A-1.006   | 12/22/2021 | 1/11/2022      |
| 61C-4.010   | 12/28/2021 | 12/17/2022     |
| 62-600.200  | 12/27/2021 | 1/16/2022      |
| 62-600.300  | 12/27/2021 | 1/16/2022      |
| 62-600.400  | 12/27/2021 | 1/16/2022      |
| 62-600.520  | 12/27/2021 | 1/16/2022      |
| 64B12-16.004  | 12/27/2021 | 1/16/2022      |
| <b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b> |            |                |
| Rule No.  | File Date  | Effective Date |
| 5K-4.020  | 12/10/2021 | **/**/****     |
| 5K-4.035  | 12/10/2021 | **/**/****     |
| 5K-4.045  | 12/10/2021 | **/**/****     |
| 60FF1-5.009   | 7/21/2016  | **/**/****     |
| 60P-1.003   | 12/8/2021  | **/**/****     |
| 60P-2.003   | 11/5/2019  | **/**/****     |
| 62-600.405  | 11/16/2021 | **/**/****     |
| 62-600.705  | 11/16/2021 | **/**/****     |
| 62-600.720  | 11/16/2021 | **/**/****     |
| 64B8-10.003   | 12/9/2015  | **/**/****     |
| 69L-7.020   | 10/22/2021 | **/**/****     |

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Salty Rentals NSB, LLC, dba Salty Sales Service and Rentals line-make MOKE

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cruise Car, Inc., intends to allow the establishment of Salty Rentals NSB, LLC, dba Salty Sales Service and Rentals as a dealership for the sale of low-speed vehicles manufactured by Cruise Car, Inc., (line-make MOKE) at 2117 Ocean Drive, New Smyrna Beach, (Volusia County), Florida 32169, on or after January 29, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Salty Rentals NSB, LLC, dba Salty Sales Service and Rental are dealer operator(s): John Kostoglou, 2117 Ocean Drive, New Smyrna Beach, Florida 32169; principal investor(s): John Kostoglou, 2117 Ocean Drive, New Smyrna Beach, Florida 32169, Lisa Cordell, 2117 Ocean Drive, New Smyrna Beach, Florida 32169.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Adam Sulimirski, Cruise Car, Inc., 6265 East Sawgrass Road, Sarasota, Florida 34240.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Relocation of Sarasota Mopeds & Scooters, LLC, line-make MOTV

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters LLC, intends to allow the relocation of Sarasota Mopeds & Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co., Ltd (line-make MOTV) from its present location at 5748 Swift Road, Sarasota, (Sarasota County), Florida 34231, to a proposed location at 2258 Hammond Place, Sarasota, (Sarasota County), Florida 34239, on or after January 29, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Mopeds & Scooters, LLC are dealer operator(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239, principal investor(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Sarah Miyashiro, Genuine Scooters LLC, 2700 West Grand Avenue, Chicago, Illinois 60612.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Relocation of Sarasota Mopeds & Scooters, LLC, line-make NGBO

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Genuine Scooters LLC, intends to allow the relocation of



Sarasota Mopeds & Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Ningbo Longjia Motorcycle Co. Ltd. (line-make NGBO) from its present location at 5748 Swift Rd, Sarasota, (Sarasota County), Florida 34231, to a proposed location at 2258 Hammond Place, Sarasota, (Sarasota County), Florida 34239, on or after January 29, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Mopeds & Scooters, LLC are dealer operator(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239, principal investor(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Sarah Miyashiro, Genuine Scooters LLC, 2700 West Grand Avenue, Chicago, Illinois 60612.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Relocation of Sarasota Mopeds & Scooters, LLC, line-make JDRA

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters LLC, intends to allow the relocation of Sarasota Mopeds & Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Royal Alloy By Jiangsu Dafier Motorcycle Co., Ltd (line-make JDRA) from its present location at 5748 Swift Road, Sarasota, (Sarasota County), Florida 34231, to a proposed location at 2258 Hammond Place,

Sarasota, (Sarasota County), Florida 34239, on or after January 29, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Mopeds & Scooters, LLC are dealer operator(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239, principal investor(s): Monica Castro, 2258 Hammond Place, Sarasota, Florida 34239.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Sarah Miyashiro, Genuine Scooters LLC, 2700 West Grand Avenue, Chicago, Illinois 60612.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment adds language regarding Clinical Trial Coverage as directed by the Consolidated Appropriations Act 2021. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2021-22 or FFY 22-23. The effective date for this amendment will be January 1, 2022.

Interested parties may contact the following staff for further information: Cole Giering, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4691 or by e-mail at: Cole.Giering@ahca.myflorida.com.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment amends language regarding auditing practices utilized in the Intermediate Care Facility reimbursement methodology. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2021-22 and FFY 22-23. The effective date for this amendment will be January 1, 2022. Interested parties may contact the following staff for further information: Cole Giering, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, by telephone at: (850)412-4691 or by e-mail at: Cole.Giering@ahca.myflorida.com.

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AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid  
State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment amends language regarding auditing practices utilized in the County Health Department reimbursement methodology. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2021-22 and FFY 22-23. The effective date for this amendment will be January 1, 2022. Interested parties may contact the following staff for further information: Cole Giering, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, by telephone at: (850)412-4691 or by e-mail at: Cole.Giering@ahca.myflorida.com.

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AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid  
State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment amends language regarding Prescription Drug coverage and reimbursement. This amendment to the State Plan will have a federal fiscal impact with an expected decrease of \$3,666,928 in federal funds for federal fiscal year (FFY) 2021-22 and a decrease of \$5,278,020 in federal funds for FFY 22-23. The effective date for this amendment will be January 1, 2022. Interested parties may contact the following staff for further information: Cole Giering, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4691 or by e-mail at: Cole.Giering@ahca.myflorida.com.

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Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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