



(i) “Hybrid voting system” means an electronic or electromechanical device by which a voter with disabilities interacts with an electronic visual display to produce a paper output that contains the contest titles and the voter’s selections, and may also contain, but not be limited to, a barcode or other machine-readable optical label containing the voter’s selections. A hybrid voting system may be designed to read the vote targets or selections or the machine-readable optical label on the paper output.

(j) “Tabulation” means the act of a tabulator (e.g., optical scanner) counting the voter selections for candidates or ballot measures. The tabulator scans the voter selections on a ballot or paper output from a hybrid voting system and determines the vote count for the candidate or ballot measure.

(k) “Voted Ballot” means a ballot as defined above, which has been cast by an elector.

(l) “Voting device” means any apparatus by which votes are registered electronically.

(m) “Voting system” means a method of casting and processing votes that functions wholly or partly by use of electromechanical or electronic apparatus or by use of marksense ballots or paper outputs from a hybrid voting system and includes, but is not limited to, the procedures for casting and processing votes and the programs, operating manuals, supplies, printouts, and other software necessary for the system’s operation.

### (3) FILING OF SECURITY PROCEDURES.

(a) Within ~~60~~ 45 days of the effective date of this rule, each supervisor of elections shall certify the date of the most current version of the county’s minimum security procedures on file with the Division of Elections or submit through a secure FTP site the most current version of the procedures with a cover letter and the completed form referenced in subsection (5), accompanied by a cover letter and along with the date the procedures were last revised.

(b) For any subsequent revision to the security procedures, the supervisor of elections must submit the revision no later than 45 days prior to the early voting period in the election in which the revision will first take effect. The supervisor shall include a statement describing which part of the procedures previously filed have been revised using the form referenced in subsection (5).

(c) In the event of an emergency situation or other unforeseen circumstance in which a supervisor of elections has to make a change to the security procedures within the 45-day period before the early voting period for an upcoming election, the supervisor of elections shall submit the change to the Division of Elections no later than 5 days after the change is made. The supervisor shall document any changes to include the reasons why such changes were necessary and use the form referenced in subsection (5).

(d) All submitted security procedures must use the following formatting criteria:

1. The security procedures must use the same ordering and numbering as the form referenced in subsection (5).

2. The Sans Serif font type must be used, with a minimum font size of 10.

3. The security procedures must contain page numbers.

#### (4) REVIEW OF SECURITY PROCEDURES.

The Division of Elections shall conduct a review of any submitted or revised security procedures to determine if they meet the minimum requirements set forth in subsection (5) this rule.

(a)1. Except as provided in paragraph (b), the Division of Elections shall complete its review of the security procedures or revisions thereto within 30 days of receipt and notify the supervisor of elections as to the results of the review within 5 days thereafter as to whether the procedures or revisions comply with subsection (5).

2. If the Division finds that the procedures are incomplete and do not otherwise comply with subsection (5), the Division shall notify the supervisor in writing and include Form DS-DE ### in the notice ~~identifying to the supervisor~~ the specific provisions that were found to be incomplete or otherwise did not comply with subsection (5). No later than 30 days from the date of notice, the supervisor shall provide the required information and documentation to bring the procedures into compliance. Within 10 days from receiving the required information from the supervisor or from the end of the 30-day period, whichever occurs first, the Division shall issue a notice of compliance or continued noncompliance, whichever is applicable.

3. If the Division is unable to complete its review within the 30-day time frame, the Division shall temporarily approve the procedures or revisions until such time as the review is completed. The Division shall notify the supervisor of elections of the temporary approval.

(b)1. By January 31<sup>st</sup> ~~Within the first quarter~~ of an odd-numbered year during which the Division of Elections conducts a biennial review of supervisors of elections’ county security procedures pursuant to section 101.015(4)(b), F.S., the Division shall notify each supervisor of elections that the Division will begin its review based on the version certified last by the supervisor, or the last revision on file, whichever occurred last.

2. No later than 15 days of such notice, the supervisor shall recertify the version on file as the most current version to be reviewed or submit and certify any update or replacement as the latest revision or replacement, respectively to the procedures on file.

3. The Division shall complete its review no later than 90 days of beginning the review of a supervisor’s county security procedures. Within 5 days of completing its review the Division

shall notify the supervisor as to whether its county security procedures comply with subsection (5).

4. If the Division finds that the procedures are incomplete and do not otherwise comply with subsection (5), the Division shall also list in the notice to the supervisor the specific provisions that were found to be incomplete or otherwise did not comply with subsection (5). No later than 30 days from the date of notice, the supervisor shall provide the required information and documentation to bring the procedures into compliance. If the supervisor is unable to do so within the 30 days, the supervisor shall provide within that same timeframe, a calendar date by when the remedy status report and a plan including timeline for completing or bringing the procedures into compliance will be submitted to the Division. No later than 10 days from the receipt of the supervisor's response, the Division shall issue a notice of compliance or continued noncompliance, whichever is applicable.

(c) Upon approval of the security procedures by the Division, the supervisor shall submit to the Division a copy of the approved version of the procedures that has all confidential and exempt information redacted from the procedures, along with the statutory citations for each redaction contained in the document. The supervisor shall submit the redacted copy within 15 days of notification by the Division of the approval.

**(5) STANDARDS FOR SECURITY PROCEDURES.**

The required standards for minimum security procedures are set forth in Form DS-DE#, entitled "Standards and Compliance Checklist for County Minimum Security Procedures," (eff. / ) which is hereby incorporated by reference and is available from the Division of Elections. The Supervisor of Elections shall also complete the form to show compliance with the required standards. The completed form shall be submitted each time with the latest security procedures or revisions thereto.

~~(a) Staffing and facilities' security. The security procedures shall have a description of the supervisor of elections' organization and physical facilities' security. The security procedures shall address chain of custody procedures and security measures to protect at all times the integrity of the voting systems, election materials, and ballots.~~

~~(b) Election schedule template. The security procedures shall include one or more schedule templates for each type of election. A schedule template need not be prepared for a municipal election. The supervisor shall provide the template to the Division of Elections at least 90 days prior to each regularly scheduled election and within 20 days of the date a special election is scheduled. The supervisor is not required to provide a previously submitted schedule template before an election unless changes have been made since the prior submission; however, any changes to a schedule template must be submitted in a revised security procedure within the time period specified~~

~~in paragraph (3)(b). The election schedule template shall contain the following:~~

- ~~1. A list of all tasks necessary to conduct the election; and,~~
- ~~2. The legal deadline, where applicable, or tentative date each task is to be completed.~~

~~(c) Ballot preparation. The security procedures shall describe the steps necessary to ensure that the ballot contains the proper races, candidates and issues for each ballot variation and that the ballots can be successfully tabulated. The ballot preparation procedures shall, at a minimum, contain the following:~~

- ~~1. Assignment of unique marks or other coding necessary for identifying ballot variations or precincts;~~
- ~~2. Verification that unique marks or other coding necessary for tabulation are correct; and,~~
- ~~3. Description of method to verify that all ballots and ballot variations are accurately prepared and printed.~~

~~(d) Filing of election information. The supervisor of elections shall file with the Division of Elections a copy of the information used within the election management system to define the tabulation and reporting instructions for each election regardless of filings for prior elections. The filing shall, at a minimum, include the following:~~

- ~~1. A copy of the election database used to define the election; and,~~
- ~~2. If the election definition is created by an individual who is not an employee of the supervisor of elections, the information shall include a statement by the person who created the election database and definition. The person coding the election shall sign the election coding statement using Form DS-DE-132.~~

~~(e) Preparation and configuration of tabulation system.~~

~~1. The procedures relating to the preparation and configuration of the tabulation system shall, at a minimum, include the following:~~

- ~~a. Description of tests for all electronic or electromechanical voting systems after conclusion of maintenance and programming, including Americans with Disabilities Act (ADA) voting devices, early voting devices, precinct voting devices, and vote by mail voting devices, and the procedures for verification of correctness; and,~~
- ~~b. Description of securing the tabulation systems.~~

~~2. The security procedures shall describe the test materials utilized and the voting system tests performed prior to the conduct of the public logic and accuracy tests.~~

~~(f) Public logic and accuracy test. The security procedures for use with electronic and electromechanical voting systems shall, at a minimum, describe the following aspects of logic and accuracy testing of all automatic tabulating equipment publicly tested as required by section 101.5612, F.S.:~~

~~1. Each component of the test performed including the test materials utilized for early voting devices, precinct voting devices, and vote-by-mail voting devices.~~

~~2. Ballot test decks and their preaudited results.~~

~~3. The procedures for sealing, securing, and retaining the programs, ballots, test results, other test materials, and records of proceedings.~~

~~(g) Pre election steps for voting systems. The security procedures for use with voting devices shall include a description of the process to seal and secure the voting devices on Election Day and daily during the early voting period. This description shall include:~~

~~1. The process for identifying electronic media type such as memory packs, compact flash cards, PC Cards or PCMCIA cards, and any instrument used to activate a voting machine. This activity shall include:~~

~~a. The process to create and maintain an inventory of all electronic media.~~

~~b. The chain of custody process and procedure for identifying, documenting, handling, and tracking electronic media from the point of collection or transfer from their storage location, through election coding, through the election process, to their final post election disposition and return to storage. This electronic media must be given the same level of attention that one would give to official ballots.~~

~~2. The establishment and maintenance of a secured location for storing the electronic media when not in use, for coding an election, for creating the election media, for transferring and installing the election media into the voting device, and for storing these devices once the election parameters are loaded. This process shall ensure that:~~

~~a. No election media is left unattended or in an unsecured location once it has been coded for an election. Where applicable, coded election media must be immediately loaded into the relevant voting device, logged, and made secure or must be placed in a secured and controlled environment and inventoried.~~

~~b. Each election media is sealed in its relevant voting device or container utilizing one or more uniquely identified tamper resistant or tamper evident seals. A combined master tracking log of the voting device, the election media, and the seal(s) must be created and maintained. For election media that are device independent (for example, voter card encoders) these devices must be stored in a secured, sealed container and must also be identified on the master tracking log.~~

~~c. A procedure is created and maintained for tracking the custody of these voting devices once these devices are loaded with an election definition. The chain of custody must specifically provide for the identifying, documenting, handling, and tracking of such devices from the point of loading to final post election disposition. These voting devices must be given~~

~~the same level of attention that one would give to official ballots.~~

~~3. A recovery plan that is to be followed should there be any indication of a security breach in the accountability and chain of custody procedures. Any indication of a security breach must be confirmed by more than one individual.~~

~~4. A training plan for relevant election officials, staff, and temporary workers that addresses these security procedures and the relevant work instructions.~~

~~(h) Ballot distribution. Where marksense ballots or paper outputs from a hybrid voting system are used, including on Election Day and during the early voting period, the security procedures shall, at a minimum, include the following:~~

~~1. Description of how the number and variations of ballots required by each precinct is determined;~~

~~2. Description of the method for securing the ballots; and,~~

~~3. Description of the process for distributing the ballots to precincts, to include an accounting of who distributed and who received the ballots, the date, and how they were checked.~~

~~(i) Distribution of precinct equipment. The security procedures shall describe the steps necessary for distributing voting system equipment to the precincts.~~

~~(j) Election Board duties.~~

~~1. The security procedures when marksense ballots or paper outputs from a hybrid voting system, including provisional ballots are used shall, at a minimum, include the following Election Board duties on Election Day and during the early voting period:~~

~~a. Verification that the correct number of ballots were received, and that they are the proper ballots for that precinct;~~

~~b. Checking the operability or readiness of the voting devices;~~

~~c. Checking and sealing the ballot box;~~

~~d. Description of how unscanned and spoiled ballots are handled;~~

~~e. Description of how write in and provisional ballots are handled; and,~~

~~f. Accounting for all ballots and paper outputs from a hybrid voting system after the polls close.~~

~~2. The security procedures for use with voting devices shall, at a minimum, include the following Election Board duties:~~

~~a. Verification of the identification numbers, seal numbers, and protective counter numbers, if available, of precinct tabulation and/or voting devices;~~

~~b. Checking the operability or readiness of the voting device;~~

~~c. Verification that all counters except protective counters are set at zero on each voting device;~~

~~d. Securing a printed record from each voting device, if applicable;~~

- ~~e. Checking the correctness of the ballot;~~
- ~~f. Preparing voting devices for voting;~~
- ~~g. Verification when other than electronic or other means are used to track a voter during the voting process that the correct number of voter authorization slips were received;~~
- ~~h. Checking and sealing the voter authorization slips container(s) if voter authorizations slips were used;~~
- ~~i. Handling write-in ballots;~~
- ~~j. Handling voting system malfunctions;~~
- ~~k. Securing voting machines at the close of the polls (including the close of each early voting day) to prevent further voting;~~
- ~~l. Accounting for all voter authorization slips received if voter authorization slips were used; and,~~
- ~~m. Recording and verifying the votes cast.~~
- ~~(k) Transport of ballots and/or election materials. The security procedures shall describe the steps necessary to ensure a complete written record of the chain of custody of ballots, paper outputs from a hybrid voting system, and election materials on Election Day and during the early voting period and shall include:~~
  - ~~1. A description of the method and equipment used to transport all ballots, paper outputs from a hybrid voting system, and/or election materials.~~
  - ~~2. A method of recording the names of the individuals who transport the ballots and/or election materials from one site to another and the time they left the sending site.~~
  - ~~3. A method of recording the time the individuals who transport the ballots, paper outputs from a hybrid voting system, and/or election materials arrived at the receiving site and the name of the individual at the receiving site who accepted the ballots, paper outputs from a hybrid voting system, and/or election materials.~~
  - ~~4. A description of the process to create and maintain a secured location for storing and transporting voting devices once the election definitions are loaded. This description shall include procedures that are to be used at locations outside the direct control of the supervisor of elections, such as overnight storage at a polling location or early voting site. This description shall include:~~
    - ~~a. A process for creating and maintaining an inventory of these items for each storage location, for each election. These voting devices must be given the same level of attention that one would give to official ballots.~~
    - ~~b. A chain of custody process that specifically provides for the identifying, documenting, handling, and tracking of such voting devices from the point of storage to transfer to final disposition or when the voting devices have been left unattended for any length of time. Particular attention must be given to the integrity of the tamper resistant or tamper evident~~

~~seals. These voting devices must be given the same level of attention that one would give to official ballots.~~

~~5. A recovery plan that is to be followed should there be any indication of a security breach in the accountability and chain of custody procedures. The plan must address inadvertent damage to any seals or accountability/chain of custody documentation errors. These plans must be developed in a manner that enhances public confidence in the security and integrity of the election. Any indication of a security breach, documentation errors, or seal damage must be confirmed by more than one individual.~~

~~6. A training plan for relevant election officials, staff, and temporary workers that address these security procedures and the relevant work instructions.~~

~~(l) Receiving and preparing voted ballots. The security procedures shall describe the process of receiving and preparing paper outputs from a hybrid voting system and voted ballots, including provisional ballots, election data and memory devices to include, at a minimum, the following:~~

~~1. Verification that all of the ballot containers are properly secured and accounted for and that the seal numbers are correct;~~

~~2. Verification that the ballot container(s) for each precinct contain paper outputs from a hybrid voting system, unused ballots, and voted ballots including provisional ballots, unscanned ballots, spoiled ballots and write-in ballots as shown to exist on the forms completed by each election board for that purpose;~~

~~3. Inspection of the marksense ballots or paper outputs from a hybrid voting system to identify those that must be duplicated or upon which voter intent is unclear, thus requiring a determination by the Canvassing Board. A record shall be kept of which marksense ballots or paper outputs from a hybrid voting system are submitted to the Canvassing Board and the disposition of those marksense ballots or paper outputs; and,~~

~~4. Description of the process for duplicating and recording the voted marksense ballots or paper outputs from a hybrid voting system which are damaged or defective.~~

~~(m) Tabulation of vote.~~

~~1. The security procedures for use with polling locations and central sites shall describe each step of a ballot tabulation, including on Election Day and daily during the early voting period and shall include, at a minimum, the following:~~

~~a. Counting and reconciliation of voted marksense ballots or paper outputs from a hybrid voting system;~~

~~b. Processing, tabulation and accumulation of voted ballots and election data;~~

~~c. Processing and recording of all write-in and provisional ballots;~~

~~d. The process for handling unreadable ballots;~~

~~e. Backup and recovery of tabulated results and voting system programs for electronic or electromechanical voting systems; and,~~

~~f. The procedure for public viewing of the accumulation process and access to results.~~

~~2. Security procedures shall describe each step of ballot tabulation during the early voting period.~~

~~3. The security procedures for use in the precincts on Election Day shall include procedures that describe each step of ballot tabulation to include, at a minimum, the following:~~

~~a. Printing of precinct results and results from individual tabulating devices;~~

~~b. Processing and recording of write-in votes;~~

~~c. Endorsing the precinct results by the Election Board;~~

~~d. Posting a copy of precinct results;~~

~~e. Transport of precinct results to central or regional site;~~

~~f. Consolidation of precinct and provisional ballot results; and,~~

~~g. The process for public viewing of the accumulation process and access to results.~~

~~4. The procedures for resolving discrepancies between the counted ballots and voted ballots and any other discrepancies found during the accumulation process shall be described.~~

~~(n) Electronic access to voting systems. Security procedures shall identify all methods of electronic access to the vote tabulation system including on Election Day and daily during the early voting period. The procedures for authorizing electronic access and specific functions, and specifying methods for detecting, controlling and reporting access to the vote tabulation system shall be identified, and shall additionally include:~~

~~1. A document that defines the procedure that ensures that default or vendor supplied passwords, encryption keys, or other identifier have been changed. This activity must ensure that:~~

~~a. Access control keys/passwords are maintained in a secured and controlled environment. The individual(s) with access to these items must be delineated.~~

~~b. Changes to the encryption keys and passwords are at the discretion of the supervisor of elections. This discretionary authority should not be delegated. The individual(s) that implement a change to the encryption keys and/or passwords must have this "authorization to change" responsibility.~~

~~c. The degree of access is maintained within the election management system and/or equipment. This applies where a voting system can limit an individual's access to certain menus, software modules, or other component.~~

~~2. A procedure that governs access to any device, election media, or election management system with a requirement to use an encryption key.~~

~~3. A training plan for relevant election officials, staff, and temporary workers that address these security procedures and the relevant work instructions.~~

~~(o) Vote by mail ballot handling. The security procedures shall include procedures that describe vote by mail ballot handling to include, at a minimum, the following:~~

~~1. Description of process for determining and verifying vote by mail ballot variations;~~

~~2. Description for process to assure voters are issued the proper vote by mail ballot;~~

~~3. Description of process for receipt of vote by mail ballots by mail or other methods permitted by law and the security measures in place to ensure safekeeping and timely receipt by the supervisor of elections.~~

~~4. Process for precluding voters from voting at the polls and casting an vote by mail ballot;~~

~~5. Process for opening valid vote by mail ballots in preparation for tabulation;~~

~~6. Process for recording the receipt of all vote by mail ballots, to include regular vote by mail ballots, State write-in ballots and Federal write-in ballots and determining which ones should be counted if more than one per voter is received; and,~~

~~7. Security measures for transporting, collecting, and storing blank and voted vote by mail ballots and related materials prior to and after an election, including but not limited to physical security, chain of custody, secured access, and monitoring.~~

~~(p) Ballot security. The security procedures shall describe ballot accountability and security beginning with their receipt from a printer or manufacturer until such time as they are destroyed. The procedures for each location including on Election Day and during the early voting period shall describe physical security, identify who has authorized access and identify who has the authority to permit access.~~

~~(q) Voting system maintenance and storage.~~

~~1. The security procedures shall describe the maintenance and testing performed on all components of the system to assure that it is in proper working order and is within manufacturer's operating specifications including on Election Day and during the early voting period. Procedures shall also describe storage and nonoperational maintenance of all voting devices.~~

~~2. If the supervisor of elections has installed any type of antivirus software on the election management system's computing equipment, the security procedures shall provide a description of the software, the timeframe for updating the software, and the method to update the software.~~

~~(r) Post election audit. The security procedures shall include, at a minimum, the following:~~

~~1. Description of the method for the random selection of the races and precincts for a manual audit or automated independent audit, or both.~~

~~2. Description of the method for the random selection in the event that municipal or other local elections are held on the same day and the Canvassing Board certifies the elections, if applicable.~~

~~3. Description of the method to determine the ballot count segregated by ballot type of the random selection.~~

~~4. Description of the method to ensure the public does not interfere or otherwise disturb the audit.~~

~~5. Description of the method for determining the security of ballots, paper outputs from a hybrid voting system, chain of custody controls, protocols for authorized access, and secure storage of ballots and paper outputs from a hybrid voting system, that may be used in an audit.~~

(6) ~~FORMS FORM.~~ Form DS-DE 132 (eff. 01/16), (<https://www.flrules.org/Gateway/reference.asp?No=Ref-06149>), entitled "Election Coding Statement," and Form DS-DE ## (eff. \_\_\_\_ / \_\_\_\_), (insert hyperlink are is—hereby incorporated by reference and available from the Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200, or by download from the Division’s webpage at: <https://dos.myflorida.com/elections/forms-publications/forms-http://election.myflorida.com/forms/index.shtml>.

Rulemaking Authority 20.10(3), 97.012(1), 101.015 FS. Law Implemented 101.015(4) FS. History—New 5-27-85, Formerly 1C-7.15, 1C-7.015, Amended 8-28-93, 11-24-04, 4-1-16, \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Construction Industry Licensing Board

RULE NO.:       RULE TITLE:

61G4-17.001    Normal Penalty Ranges

PURPOSE AND EFFECT: The proposed amendment is to clarify wording in text.

SUMMARY: Review and update 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: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 489.129 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: Donald Shaw, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039, or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 61G4-17.001 Normal Penalty Ranges

(1) The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this chapter.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) through (f) No change		
(g) Section 489.129(1)(g), F.S.: Mismanagement or misconduct causing financial harm to the customer. FIRST OFFENSE  REPEAT OFFENSE	\$1,500 fine or probation or suspension. \$2,500 fine and probation or suspension.	\$5,000 fine and probation, <del>or</del> suspension, <u>or</u> revocation. \$10,000 fine and revocation.
(h) through (i) No change.		
(j) Section 489.129(1)(j), F.S.: Abandonment.  FIRST OFFENSE	\$2,500 fine and probation or suspension.	\$7,500 fine and probation, <del>or</del>

REPEAT OFFENSE	\$5,000 fine and probation or suspension.	suspension, or <u>revocation</u> . \$10,000 fine and revocation.
(k) through (q) No change.		

(2) through (6) No change.

Rulemaking Authority 455.227, 489.108, 489.129 FS. Law Implemented 455.227, 455.2273, 489.129 FS. History—New 10-26-86, Amended 12-21-92, Formerly 21E-17.001, Amended 11-2-93, 10-12-94, 7-2-95, 9-3-96, 10-31-96, 2-4-98, 8-2-98, 2-2-04, 1-24-05, 11-2-06, 2-3-15, 5-24-15,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 11, 2022  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 24, 2022

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE NO.: 64B1-6.009  
 RULE TITLE: Teaching Time for Continuing Education Credit

PURPOSE AND EFFECT: The Board proposes to consolidate and clarify methods of obtaining continuing education credit.

SUMMARY: Will be subsumed into 64B1-7.0015.

**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: 457.104, 457.107(3) FS.

LAW IMPLEMENTED: 457.107(3) 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: Allen Hall, Acting Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B1-6.009 Teaching Time for Continuing Education Credit.**

Rulemaking Authority 457.104, 457.107(3) FS. Law Implemented 457.107(3) FS. History—New 2-24-88, Formerly 21AA-6.009, 61F1-6.009, 59M-6.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 25, 2022

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE NO.: 64B1-7.0015  
 RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes to consolidate and clarify methods of obtaining continuing education credit.

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 concluded that this rule change



will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013, 457.104, 457.107, 457.108 FS.

LAW IMPLEMENTED: 456.013, 456.033, 457.107, 457.108 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: Allen Hall, Acting Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B1-7.0015 Continuing Education Requirement.**

(1) As a condition of the biennial renewal of a license, each licensee shall complete a minimum of 30 credit hours per biennium of continuing education that meets the requirements of Section 457.107, F.S. and Rule 64B1-6.005, F.A.C., which shall include:

(a) through (c) No Change.

(d) Two hours of continuing education credit on Chapters 456 and 457, F.S. and the rules promulgated by this board (laws and rules). ~~Each licensee may satisfy this requirement by attending a complete board meeting at which another licensee is disciplined, or by providing an expert opinion, without compensation, in a standard of care disciplinary case or by serving as a member of the probable cause panel.~~

(2) Alternate methods of obtaining continuing education credit

(a) Attendance at Board meeting: Each licensee, who is not being disciplined, may satisfy the two required laws and rules credits by attending a complete board meeting at which another licensee is disciplined:

(b) Expert evaluation: Each licensee may satisfy the two required laws and rule credits by providing an expert opinion, without compensation, in a standard of care disciplinary case.

(c) Probable Cause: Each board member or former board member may satisfy the two required laws and rule credits by serving as a member of the probable cause panel

(d) Teaching: Those persons who teach at programs approved for continuing education credit may claim 3 hours of continuing education credit for each hour of lecture, not to exceed nine hours of continuing education credit per biennium. No continuing education credit shall be granted to a school faculty member merely as credit for his regular teaching assignments.

(e) Pro Bono Services:

1. Up to 7 hours, per biennium, of continuing education credit may be fulfilled by the performance of pro bono services to the indigent or to underserved populations or in areas of critical need within the state where the licensee practices.

2. For credit for pro-bono services a licensee must apply for prior approval in order to receive credit. In the request for approval, licensees shall disclose the type, nature and extent of services to be rendered, the facility where the services will be rendered, the number of patients expected to be served, and a statement indicating that the patients to be served are indigent.

3. Service must be provided on a pro bono basis through an organization offering humanitarian missions to:

a. domestic and/or international victims in an emergency situation or disaster area;

b. low income population (no greater than 150% of the federal poverty level);

c. special needs population; or

d. United States military personnel.

4. Unless otherwise provided through Board order, no licensee who is subject to a disciplinary action that requires additional continuing education as a penalty, shall be permitted to use pro bono medical services as a method of meeting the additional continuing education requirements.

(2) through (3) renumbered as (3) through (4) No change.

Rulemaking Authority 456.013, 457.104, 457.107, 457.108 FS. Law Implemented 456.013, 456.033, 457.107, 457.108 FS. History—New 3-18-97, Formerly 59M-7.0015, Amended 4-25-00, 4-3-01, 11-24-02, 5-18-04, 5-30-07, 5-11-09, 5-1-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 25, 2022

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

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

**PURPOSE AND EFFECT:** The proposed rule amendments are intended to clarify the rule language, in that an approved Association no longer exists regarding procedure for approval of attendance at continuing education courses.

**SUMMARY:** To update the rule text regarding procedure for approval of attendance at continuing education courses.

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

**LAW IMPLEMENTED:** 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (b) FS.

**IF REQUESTED 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:** Allen Hall, Executive Director, Board of Medicine Electrolysis Council, 4052 Bald Cypress Way, Bin # A04, Tallahassee, Florida 32399-3253.

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

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses.

(1) No Change.

(2) All licensees shall be awarded contact hours for attendance at:

(a) All offerings that are approved by the Electrolysis Society of Florida (ESF), ~~or the Electrolysis Association of Florida (EAF)~~, or the American Electrology Association, or the Society for Clinical and Medical Hair Removal; or

(b) No Change.

(3) – (4) No Change.

Rulemaking Authority 478.43(1), (4), 478.50(2), (4)(a), (b) FS. Law Implemented 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (b) FS. History—New 6-1-93, Formerly 21M-77.003, 61F6-77.003, Amended 5-11-95, Formerly 59R-52.003, Amended 2-9-98, 2-16-99, 2-17-00, 9-21-00, 8-13-02, 4-26-09, 2-28-17, 1-5-20, 5-26-21, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Board of Medicine Electrolysis Council

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Medicine Electrolysis Council

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 3, 2022

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** March 18, 2022

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

**RULE NOS.:** 690-136.080  
**RULE TITLES:** Mergers and Acquisition of Controlling Stock of a Florida Domestic Insurer

690-136.090  
 Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer

690-136.100  
 Forms Incorporated by Reference

**PURPOSE AND EFFECT:** 690-136.080 and 690-136.090 concern the acquisition and mergers of insurers and specialty insurers and incorporates the required forms in 690-136.100.

**SUMMARY:** Some forms currently incorporated by reference in 690-136.080 are revised and moved to 690-136.100, as well as adding the process and forms for a person to attempt to rebut a presumption of control. 690-136.090 is created concerning the acquisition of controlling stock of a specialty insurer and the process and forms for a person to attempt to rebut a presumption of control. 690-136.100 is created for the eventual incorporation of all forms in 690-136.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1), 624.413(1), 628.461(13), 628.4615(15), 628.535 FS.

LAW IMPLEMENTED: 624.307(1), 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 626.9928, 628.451, 628.461, 628.4615, 628.471, 628.801, 634.252, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 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: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flor.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-136.080 Mergers and Acquisition of Controlling Stock of a Florida Domestic Insurer.

Substantial rewording of Rule 690-136.080, F.A.C. follows. See Florida Administrative Code for present text.

(1) Any person acquiring a Florida domestic insurer pursuant to section 628.461, F.S., shall comply with the instructions contained on Form OIR-C1-918, incorporated by reference in Rule 690-136.100, F.A.C., and shall also comply with directions, or otherwise submit, the following applicable forms:

(a) Form OIR-C1-918, incorporated by reference in Rule 690-136.100, F.A.C.;

(b) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.;

(c) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.;

(d) Form OIR-C1-1416, incorporated by reference in Rule 690-136.100, F.A.C.;

(e) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.;

(f) Form OIR-C1-1524, incorporated by reference in Rule 690-136.100, F.A.C., if required as per the instructions in Form OIR-C1-918;

(g) Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-D0-516, incorporated by reference in Rule 690-136.100, F.A.C.;

(i) Form OIR-D0-896, incorporated by reference in Rule 690-136.100, F.A.C.;

(j) Form OIR-D0-904, incorporated by reference in Rule 690-136.100, F.A.C.;

(k) Form OIR-D0-2119, incorporated by reference in Rule 690-136.100, F.A.C.;

(l) Form OIR-D0-2165, incorporated by reference in Rule 690-136.100, F.A.C.; and

(m) Prior to a final decision on whether to approve the proposed acquisition, the Office shall request such other information as is necessary, depending on the facts and circumstances of the specific persons and entities involved, pursuant to section 628.461(3), F.S., to determine the character, experience, ability, and other qualifications required by statute, of the person or affiliated person of such person for the protection of the policyholders and shareholders of the insurer and the public. The Office shall make no final decision on any proposed acquisition without complete information, as required by section 628.461, F.S.

(2) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.flor.com> and shall be submitted electronically via the Office's iApply system at <https://www.flor.com/iportal>. Forms relating to specific kinds of insurance in subsection (1) are to be submitted only by companies issuing policies relating to the kind of insurance specified on the form.

(3) Any merger effected between or among one or more domestic or foreign stock insurers authorized to transact insurance in this state and one or more other entities authorized to transact insurance and self-insurance in this state, including a self-insurance trust fund existing pursuant to section 627.357, F.S., shall comply with the provisions of sections 628.461 and 628.451, F.S., and this rule.

(4) Any merger effected involving a not-for-profit health maintenance organization that is in a holding company system shall comply with the provisions of sections 628.461, 628.471, 641.255 F.S., and this rule.

(5) Any merger effected involving a for-profit health maintenance organization that is in a holding company system

shall comply with sections 628.461, 628.451, 641.255 F.S., and this rule.

(6) A retaliatory application fee shall be submitted pursuant to section 624.5091, F.S. The retaliatory fee is the greater of:

(a) The amount that the applicant's domiciliary state or country would charge a Florida domestic insurer making application in the applicant's state or country of domicile; or

(b) The Florida application fee pursuant to section 624.501(1)(a), F.S.

(7) Disclaimer of Control

(a) A person may attempt to rebut a presumption of control pursuant to section 628.461, F.S., by electronically filing via the Office's iApply system at <https://www.floir.com/iportal> one of the following forms with the Office:

1. Form OIR-C1-1467, incorporated by reference in Rule 69O-136.100, F.A.C.;

2. Form OIR-C1-1468, incorporated by reference in Rule 69O-136.100, F.A.C.;

3. Form OIR-C1-2211, incorporated by reference in Rule 69O-136.100, F.A.C.

(b) A person may attempt to rebut a presumption of control pursuant to section 628.461, F.S., by filing a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s. 240.13d-1, under the Securities Exchange Act of 1934, as amended, to the Office electronically via the Office's iApply system at <https://www.floir.com/iportal>.

(c) Pursuant to section 628.461(12)(a), F.S., the Office is authorized to disallow a disclaimer of control filed pursuant to paragraphs (a) and (b).

Rulemaking Authority 624.308(1), 624.413(1), 628.461(13), 628.535 FS. Law Implemented 624.307(1), ~~624.307(3)~~, 624.317, 624.324, 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, ~~628.054~~, ~~628.061~~, 628.451, 628.461, 628.471, 628.801, 641.255 FS. History—New 6-7-90, Formerly 4-109.002, Amended 5-12-94, 11-7-00, Formerly 4-143.056, Amended 5-31-16, Formerly 69O-143.056, Amended, \_\_\_\_\_.

69O-136.090 Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer.

(1) Any person acquiring a specialty insurer pursuant to section 628.4615, F.S., shall comply with the instructions contained on Form OIR-C1-448, incorporated by reference in Rule 69O-136.100, F.A.C., and shall also comply with directions, or otherwise submit, the following applicable forms:

(a) Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.;

(b) Form OIR-C1-448, incorporated by reference in Rule 69O-136.100, F.A.C.;

(c) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;

(d) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;

(e) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;

(f) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; and,

(g) In addition, prior to a final decision on whether to approve the proposed acquisition, the Office shall request such other information as is necessary, depending on the facts and circumstances of the specific persons and entities involved, pursuant to section 628.4615(4), F.S., to determine the character, experience, ability, and other qualifications required by statute, of the person or affiliated person of such person for the protection of the policyholders and shareholders of the insurer and the public. The Office shall make no final decision on any proposed acquisition without complete information, as required by section 628.4615, F.S.

(2) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/iportal>.

(3) Any merger effected involving a not-for-profit health maintenance organization that is not in a holding company system shall comply with sections 628.4615, 628.471, 641.255 F.S., and this rule.

(4) Any merger effected involving a for-profit health maintenance organization that is not in a holding company system shall comply with sections 628.4615, 628.451, 641.255 F.S., and this rule.

(5) A retaliatory application fee shall be submitted pursuant to section 624.5091, F.S. The retaliatory fee is the greater of:

(a) The amount that the applicant's domiciliary state or country would charge a Florida domestic insurer making application in the applicant's state or country of domicile; or

(b) The Florida application fee pursuant to section 624.501(1)(a), F.S.

(6) Disclaimer of Control

(a) A person may attempt to rebut a presumption of control pursuant to section 628.4615(11), F.S., by electronically filing via the Office's iApply system at <https://www.floir.com/iportal> one of the following forms with the Office:

1. Form OIR-C1-1467, incorporated by reference in Rule 69O-136.100, F.A.C.;

2. Form OIR-C1-1468, incorporated by reference in Rule 69O-136.100, F.A.C.;

3. Form OIR-C1-2211, incorporated by reference in Rule 69O-136.100, F.A.C.

(b) A person may attempt to rebut a presumption of control pursuant to section 628.4615(11), F.S., by filing a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s.

240.13d-1, under the Securities Exchange Act of 1934, as amended, to the Office electronically via the Office’s iApply system at <https://www.flair.com/iportal>.

(c) Pursuant to section 628.4615(11), F.S., the Office is authorized to disallow a disclaimer of control filed pursuant to paragraphs (a) and (b).

Rulemaking Authority 624.308(1), 628.4615(15), 628.535 FS. Law Implemented 624.307(1), 624.34, 624.424(6), 624.501, 624.5091, 626.9928, 628.451, 628.4615, 628.471 634.252, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 FS. History—New \_\_\_\_\_.

690-136.100 Forms Incorporated by Reference.

(1) The forms in subsection (2) of this rule are available and may be printed from the Office of Insurance Regulation’s website: <https://www.flair.com/iportal>, and are hereby incorporated by reference.

(2)(a) Forms OIR-C1

1. Form OIR-C1-144, “Service of Process Consent & Agreement,” effective 6/04, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

2. Form OIR-C1-448, “Application for Acquisition of Controlling Stock, Ownership Interest, Assets, or Control of a Florida Specialty Insurer; Merger or Consolidation,” effective 7/21, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

3. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

4. Form OIR-C1-918, “Application for Acquisition of Controlling Stock of a Florida Domestic Insurer,” effective 7/21, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

5. Form OIR-C1-938, “Fingerprint Payment and Submission Procedure,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

6. Form OIR-C1-1416, “Uniform Certificate of Authority Application (UCAA) Lines of Insurance,” effective 1/20, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

7. Form OIR-C1-1423, “Uniform Certificate of Authority Application (UCAA) Biographical Affidavit,” effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

8. Form OIR-C1-1467, “Disclaimer of Control - Individual,” effective 7/21, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

9. Form OIR-C1-1468, “Disclaimer of Control - Entity,” 7/21, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

10. Form OIR-C1-1524, “Uniform Certificate of Authority Application (UCAA) Uniform Consent to Service of Process,” effective 12/19, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

11. Form OIR-C1-2211, “Disclaimer of Control – Investment Companies,” effective 7/21, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and

12. Form OIR-C1-2221, “Management Information Form,” effective 6/20, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX).

(b) Forms OIR-D0

1. Form OIR-D0-516, “Form B Insurance Company System Annual Registration Statement,” effective 6/20, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

2. Form OIR-D0-896, “UCAA Proforma Financial Statements, Property and Casualty Insurance Company,” effective 1/19, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

3. Form OIR-D0-904, “UCAA Proforma Financial Statements, Life & Health Insurer,” effective 1/19, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

4. Form OIR-D0-2119, “UCAA Proforma Financial Statements, Title Insurance Company,” effective 1/19, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and

5. Form OIR-D0-2165, “UCAA Proforma Financial Statements, Health,” effective 1/19, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX).

Rulemaking Authority 624.308(1), 624.413(1), 628.461(13), 628.4615(15), 628.535 FS. Law Implemented 624.307(1), 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 626.9928, 628.451, 628.461, 628.4615, 628.471, 628.801, 634.252, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 690-137.001  
RULE TITLE: Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By adopting the current versions of these NAIC instructions and manuals, the Office is establishing up-to-date, uniform standards for annual and quarterly reports which will provide the information necessary for the Office to evaluate insurers’ financial conditions.

SUMMARY: This rule is amended to adopt the 2020 National Association of Insurance Commissioners electronic transmission filing instructions, 2019 NAIC’s Annual Statement Instructions, the 2020 NAIC’s Quarterly Statement Instructions, and the NAIC’s Accounting Practices and Procedures Manual as of March 2019 and 2020.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1), 624.424(1), F.S.

LAW IMPLEMENTED: 624.424(1), F.S.

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: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-137.001 Annual and Quarterly Reporting Requirements.**

- (1) through (2) No change.
- (3) Annual and Quarterly Statement Reporting.
  - (a) No change.
  - (b)1. The National Association of Insurance Commissioners electronic transmission filing instructions (Financial Internet Filing Online User’s Guide ~~2020~~ 2018) are hereby adopted and incorporated by reference, [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX)  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-08267>.
  - 2. No change.

(4) Manuals Adopted.

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

- 1. The NAIC’s Annual Statement Instructions, Property and Casualty, ~~2019~~ 2017;
- 2. The NAIC’s Annual Statement Instructions, Life, Accident and Health, ~~2019~~ 2017;
- 3. The NAIC’s Annual Statement Instructions, Health, ~~2019~~ 2017;
- 4. The NAIC’s Annual Statement Instructions, Title, ~~2019~~ 2017; and,
- 5. The NAIC’s Accounting Practices and Procedures Manual, as of March ~~2019~~ 2017.

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

- 1. The NAIC’s Quarterly Statement Instructions, Property and Casualty, ~~2020~~ 2018;
- 2. The NAIC’s Quarterly Statement Instructions, Life, Accident and Health, ~~2020~~ 2018;
- 3. The NAIC’s Quarterly Statement Instructions, Health, ~~2020~~ 2018;
- 4. The NAIC’s Quarterly Statement Instructions, Title, ~~2020~~ 2018; and,
- 5. The NAIC’s Accounting Practices and Procedures Manual, as of March ~~2020~~ 2018.

(c) No change.

Rulemaking Authority 624.308(1), 624.424(1) FS. Law Implemented 624.424(1) FS. History—New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-137.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, 9-28-11, 1-28-13, 9-15-13, 7-28-15, 10-25-16, 7-30-17, 4-11-19, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 690-138.001  
 RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

PURPOSE AND EFFECT: The rule is amended to adopt the 2019 and 2020 National Association of Insurance

Commissioners Financial Condition Examiners Handbooks. The current rule adopted the 2017 and 2018 versions of these handbooks.

SUMMARY: Section 624.316, Florida Statutes, requires the Office to examine insurer’s financial condition according to accounting procedures designed to fulfill the requirements of generally accepted insurance accounting principles and practices, and allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1), 624.316(1)(c), F.S.

LAW IMPLEMENTED: 624.316(1)(c), F.S.

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: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flor.com, (850)413-4112.

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

690-138.001 NAIC Financial Condition Examiners Handbook Adopted.

(1)(a) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2020 ~~2018~~, is hereby adopted and incorporated by reference.

(b) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2019 ~~2017~~, is hereby adopted and incorporated by reference.

(2) through (3) No change.

Rulemaking Authority 624.308(1), 624.316(1)(c) FS. Law Implemented 624.316(1)(c) FS. History—New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-138.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, 11-2-11, 1-28-13, 9-15-13, 7-28-15, 10-25-16, 7-30-17, 4-11-19, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: RULE TITLES:

- 690-191.021 Scope
- 690-191.027 Application for Certificate of Authority Standards for Fingerprint Cards for New Applicants and Acquisition Applications
- 690-191.028 Annual and Quarterly Reports
- 690-191.075 Fees
- 690-191.085 Change of Ownership
- 690-191.097 Prescribed Forms

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 690-191.

SUMMARY: 690-191.021, .028, .097, and .107 are repealed. 690-191.027 is amended to transfer all aspects of the applications process from other rules in the chapter to one single rule. 690-191.075 is amended to incorporate the annual reports that must be filed with the Office. 690-191.085 is amended to delete reference to fees for filing an application.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the

rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes. 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: 641.26, 641.36 FS.

LAW IMPLEMENTED: 624.424, 641.21, 641.22, 641.26, 641.29, 641.36 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flor.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-191.021 Scope.

Rulemaking Authority 641.36 FS. Law Implemented 641.36 FS. History—New 2-22-88, Formerly 4-31.021, 4-191.021, Repealed.

69O-191.027 Application for Certificate of Authority.

Substantial rewording of Rule 69O-191.027, F.A.C. follows. See Florida Administrative Code for present text.

(1) An application for a person applying for a certificate of authority as a health maintenance organization consists of the following:

(a) Form OIR-C1-942, “Application for Certificate of Authority Health Maintenance Organization,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(b) Form OIR-C1-1263, “Application for Certificate of Authority Health Maintenance Organization Rehabilitation Administrative Expense Fund (Pursuant to Section 641.227, F.S.)” effective 6/96, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(c) Form OIR-B2-1093, “Small Employer Carrier’s Application to Become a Risk Assuming Carrier or a Reinsuring Carrier, as Required by Section 627.6699(9), Florida Statutes,” effective 8/03, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(d) Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(e) Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(f) Form OIR-C1-1423, “Biographical Affidavit,” 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and

(g) Form OIR-C1-2221, “Management Information Form,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX).

(2) A person applying for a certificate of authority as a health maintenance organization shall submit forms in subsection (1) as directed by the Office electronically at <https://www.flor.com/iportal>.

Rulemaking Authority 641.36 FS. Law Implemented ~~420.60(2), 641.21, 641.22, 641.29(1) FS.~~ History—New 2-22-88, Amended 10-25-89, Formerly 4-31.027, Amended 5-28-92, Formerly 4-191.027, Amended.

69O-191.028 Standards for Fingerprint Cards for New Applicants and Acquisition Applications.

Rulemaking Authority 641.36 FS. Law Implemented 641.21(1)(d) FS. History—New 5-28-92, Formerly 4-191.028, Repealed.

69O-191.075 Annual and Quarterly Reports.

Substantial rewording of Rule 69O-191.075, F.A.C. follows. See Florida Administrative Code for present text.

(1) Each HMO shall file with the Office a full and true statement of its financial condition, transactions, and affairs.

(a) An annual statement covering the preceding fiscal year shall be filed within 3 months after the end of the fiscal year, and quarterly statements within 45 days after the end of each of its quarterly reporting periods for the first three quarters of the fiscal year.

(b) The Office shall grant an extension of time for filing an annual or quarterly statement if there exist conditions beyond the control of the authorized HMO, such as rehabilitation pursuant to chapter 631, F.S., or the laws of the state of domicile; severe damage to the HMO’s physical premises by a natural or man-made disaster; or some other reason of similar gravity and severity. The extension shall be for the amount of time reasonable to file under the conditions which justified the extension.

(c) For purposes of this rule, the requirement that statements be filed with the Office means that the statement has been transmitted electronically to the National Association of Insurance Commissioners and that the executed Jurat page of said statement has been transmitted electronically to the Office via the Regulatory Electronic Filing System, “REFS.” The date affixed by the Office’s electronic data processing system shall



serve as evidence of the timeliness of the statement. Annual and quarterly statements in any other format shall not be submitted to the Office.

(2) Annual and Quarterly Statement Reporting.

Each HMO shall submit its annual and quarterly statement information electronically to the National Association of Insurance Commissioners in accordance with the electronic filing instructions incorporated by reference in paragraph 69O-137.001(3)(b), F.A.C.

(3) Manuals Adopted.

(a) Annual statements shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(a), F.A.C.

(b) Quarterly statements shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(b), F.A.C.

(c) Copies of the manuals are available:

1. From the National Association of Insurance Commissioners at <http://www.naic.org>; and

2. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

Rulemaking Authority 641.26, 641.36 FS. Law Implemented 624.424, 641.26(1) FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.075, Amended 5-28-92, Formerly 4-191.075, Amended 7-30-17, Amended \_\_\_\_\_.

69O-191.085 Fees.

Checks for the original application filing or amendments thereto, for filing of each annual report, and for any other fees collected under this law, shall be made payable to the “Florida Department of Financial Services.” ~~“State Treasurer, State of Florida.”~~

Rulemaking Authority 641.36 FS. Law Implemented 641.29 FS. History—New 2-22-88, Formerly 4-31.085, 4-191.085, Amended \_\_\_\_\_.

69O-191.097 Change of Ownership.

Rulemaking Authority 641.36 FS. Law Implemented 628.4615 FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.097, Amended 5-28-92, Formerly 4-191.097, Repealed \_\_\_\_\_.

69O-191.107 Prescribed Forms.

Rulemaking Authority 624.308(1), 641.36 FS. Law Implemented 624.424, 627.410(6), (7), 627.413(4), 627.4145, 627.6699(12), 627.6735, 627.682, 627.9407(2), 628.4615, 641.19(13)(d), 641.21(1), 641.26(1), (2), 641.29 FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.107, Amended 5-28-92, 8-15-94, 8-15-02, Formerly 4-191.107, Amended 7-30-17, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Lawrence, Jr., Chief Legal Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: RULE TITLES:

69O-192.001 Purpose and Scope

69O-192.008 General Eligibility

69O-192.048 Annual Report

69O-192.058 Forms Incorporated by Reference

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-192.

SUMMARY: 69O-192.001 and .058 are repealed. 69O-192.008 is amended to transfer all aspects of the applications process from other rules in the chapter to one single rule. 69O-192.048 is amended to incorporate the annual reports that must be filed with the Office.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.439, 624.442, 624.4431 FS.

LAW IMPLEMENTED: 624.438, 624.439, 624.442 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flor.com, (850)413-4112.

## THE FULL TEXT OF THE PROPOSED RULE IS:

## 69O-192.001 Purpose and Scope.

Rulemaking Authority 624.4431 FS. Law Implemented 624.436 FS. History—New 7-15-90, Formerly 4-116.001, Amended 11-16-92, Formerly 4-192.001, Repealed.

69O-192.008 Multiple-Employer Welfare Arrangement Application General Eligibility.

Substantial rewording of Rule 69O-192.008, F.A.C. follows. See Florida Administrative Code for present text.

(1) An application for a person applying for a certificate of authority as a multiple-employer welfare arrangement consists of the following:

(a) Form OIR-C1-983, “Application for Certificate of Authority Multiple Employer Welfare Arrangement,” effective 2/22, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(b) Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(c) Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(d) Form OIR-C1-1423, “Biographical Affidavit,” effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and

(e) Form OIR-C1-2221, “Management Information Form,” effective 6/20, available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX).

(2) A person applying for a certificate of authority as a multiple-employer welfare arrangement shall submit forms in subsection (1) as directed by the Office electronically at <https://www.flair.com/iportal>.

Rulemaking Authority 624.439, 624.4431 FS. Law Implemented 624.438(1)(a), (b), 624.439(7)(a) FS. History—New 7-28-94, Formerly 4-192.008, Amended.

69O-192.048 Annual and Quarterly Reporting Requirements Report.

Substantial rewording of Rule 69O-192.048, F.A.C. follows. See Florida Administrative Code for present text.

(1) Each Multiple Employer Welfare Arrangement (“MEWA”) shall file with the Office a full and true report of its financial condition, transactions, and affairs.

(a) An annual report covering the preceding fiscal year shall be filed within 3 months after the end of the fiscal year,

and quarterly reports within 45 days after the end of each of its four quarterly reporting periods.

(b) The Office shall grant an extension of time for filing an annual or quarterly report if there exist conditions beyond the control of the authorized MEWA, such as rehabilitation pursuant to chapter 631, F.S., or the laws of the state of domicile; severe damage to the MEWA’s physical premises by a natural or man-made disaster; or some other reason of similar gravity and severity. The request for an extension of time for filing an annual or quarterly report shall be submitted to the Office at least 7 days before the filing is due. The extension shall be for the amount of time reasonable to file under the conditions which justified the extension.

(c) For purposes of this rule, the requirement that reports be filed with the Office means that the report has been transmitted electronically to the National Association of Insurance Commissioners and that the executed Jurat page of said report has been transmitted electronically to the Office via the Regulatory Electronic Filing System, “REFS.” The date affixed by the Office’s electronic data processing system shall serve as evidence of the timeliness of the report. Annual and quarterly reports in any other format shall not be submitted to the Office.

(2) Annual and Quarterly Report Reporting.

Each MEWA shall submit its annual and quarterly report information electronically to the National Association of Insurance Commissioners in accordance with the electronic filing instructions incorporated by reference in paragraph 69O-137.001(3)(b), F.A.C.

(3) Manuals Adopted.

(a) Annual reports shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(a), F.A.C.

(b) Quarterly reports shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(b), F.A.C.

(c) Copies of the manuals are available:

1. From the National Association of Insurance Commissioners at <http://www.naic.org>; and

2. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

Rulemaking Authority 624.442, 624.4431 FS. Law Implemented 624.442(4) FS. History—New 11-16-92, Formerly 4-192.048, Amended.

## 69O-192.058 Forms Incorporated by Reference.

Rulemaking Authority 624.4431 FS. Law Implemented 624.424, 624.439, 624.442, 628.4615 FS. History—New 7-15-90, Formerly 4-116.015, Amended 7-28-94, Formerly 4-192.058, Amended 7-30-17, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Lawrence, Jr., Chief Legal Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 29, 2022  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: February 8, 2022

## DEPARTMENT OF FINANCIAL SERVICES

### OIR – Insurance Regulation

RULE NOS.:       RULE TITLES:  
69O-193.003    Applications and Management Change  
69O-193.005    Monthly, Quarterly, and Annual Reports  
69O-193.050    Minimum Liquid Reserve Requirement  
69O-193.053    Waiver of Minimum Liquid Reserves  
PURPOSE AND EFFECT: The Office of Insurance Regulation is updating four rules in Chapter 69O-193

SUMMARY: Some forms incorporated by reference in Chapter 69O-193 are amended to comply with notary requirement changes due to Chapter 2019-71, Laws of Florida. Other forms are updated to new versions of the forms. Seven forms incorporated by reference are amended in 69O-193.003. Four forms incorporated by reference are amended in 69O-193.005. Two forms incorporated by reference are amended in 69O-193.050. One form incorporated by reference is amended in 69O-193.053.

### 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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes. 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: 651.015(3), 651.021(2), 651.022(2), 651.0245(3), (5), (6), 651.0246(1), 651.026(2), (9), 651.0261(1), (2), (4), 651.035(9), 651.043 FS.

LAW IMPLEMENTED: 651.0215, 651.022, 651.023, 651.024, 651.0245, 651.0246, 651.026, 651.035, 651.0261 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flair.com, (850)413-4112.

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

69O-193.003 Applications and Management Change.  
(1) Application for Certificate of Authority.  
(a) An application for a person applying for a certificate of authority for a continuing care provider consists of the following:

1. through 2. No change.  
3. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20 11/19, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX)  
[https://www.flrules.org/Gateway/reference.asp?No=Ref-11567](https://www.flrules.org/Gateway/reference.asp?No=Ref-11567;);

4. Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20 11/19, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX)  
[http://www.flrules.org/Gateway/reference.asp?No=Ref-11568](http://www.flrules.org/Gateway/reference.asp?No=Ref-11568;);

5. Form OIR-C1-1423, “Uniform Certificate of Authority Application (UCAA) Biographical Affidavit,” effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and Form OIR-C1-2221, “Management Information Form,” effective 11/19, hereby incorporated by reference and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-11569](http://www.flrules.org/Gateway/reference.asp?No=Ref-11569;); and

6. Form OIR-C1-2221, “Management Information Form,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). Form OIR-C1-1423, “Biographical Affidavit,” effective 4/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-11570>.

(b) No change.  
(2) Application for Provisional Certificate of Authority.  
(a) An application for a person applying for a provisional certificate of authority for a continuing care provider consists of the following:

1. through 4. No change.  
5. Form ~~OIR-C1-1423~~ ~~OIR-C1-2221~~, incorporated by reference in paragraph (1)(a); and

6. Form ~~OIR-C1-2221~~ ~~OIR-C1-1423~~, incorporated by reference in paragraph (1)(a).

(b) No change.

(3) Consolidated Application for Provisional Certificate of Authority and Certificate of Authority.

(a) A consolidated application for a provisional certificate of authority and certificate of authority for a continuing care provider consists of the following:

1. through 4. No change.

5. Form ~~OIR-C1-1423~~ ~~OIR-C1-2221~~, incorporated by reference in paragraph (1)(a); and

6. Form ~~OIR-C1-2221~~ ~~OIR-C1-1423~~, incorporated by reference in paragraph (1)(a).

(b) No change.

(4) Application for the Simultaneous Acquisition of a Continuing Care Facility and Issuance of a Certificate of Authority to a Provider.

(a) An application for the simultaneous acquisition of a continuing care facility and issuance of a certificate of authority consists of the following:

1. through 4. No change.

5. Form ~~OIR-C1-1423~~ ~~OIR-C1-2221~~, incorporated by reference in paragraph (1)(a); and

6. Form ~~OIR-C1-2221~~ ~~OIR-C1-1423~~, incorporated by reference in paragraph (1)(a).

(b) No change.

(c) Disclaimer of Control

1. A person may attempt to rebut a presumption of control pursuant to Section 651.0245, F.S., by electronically filing at <https://www.flair.com/iportal> one of the following forms with the Office:

a. Form OIR-C1-1467, “Disclaimer of Control Affidavit – Individual,” effective ~~7/21~~ ~~08/18~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11574>;

b. Form OIR-C1-1468, “Disclaimer of Control Affidavit – Entity,” effective ~~7/21~~ ~~08/18~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11575>;

c. Form OIR-C1-2211, “Disclaimer of Control Affidavit – Investment Companies,” effective ~~7/21~~ ~~08/18~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11576>.

2. through 3. No change.

(5) Application for Expansion.

(a) An application for a person applying for expansion of a certificated continuing care facility consists of the following:

1. through 3. No change.

4. Form ~~OIR-C1-1423~~ ~~OIR-C1-2221~~, incorporated by reference in paragraph (1)(a); and

5. Form ~~OIR-C1-2221~~ ~~OIR-C1-1423~~, incorporated by reference in paragraph (1)(a).

(b) No change.

(6) Manager or Management Company.

(a) To comply with the filing requirements of Section 651.043(2), F.S., for each new management company or manager not employed by a management company within 10 business days of a change in management, the provider shall submit the following:

1. Form OIR-C1-905, ~~incorporated by reference in paragraph (1)(a) “Instructions for Furnishing Background Investigative Reports,” effective 2/15, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-11567>;

2. Form OIR-C1-938, ~~incorporated by reference in paragraph (1)(a) “Fingerprint Payment and Submission Procedures,” effective 10/18, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-11568>; and

3. Form OIR-C1-1423, ~~incorporated by reference in paragraph (1)(a) “Biographical Affidavit,” effective 4/19, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-11570>.

4. No change.

(b) No change.

Rulemaking Authority 651.015(3), 651.021(2), 651.022(2), 651.0245(3), (5), (6), 651.0246(1), 651.043 FS. Law Implemented 651.0215, 651.022, 651.023, 651.024, 651.0245, 651.0246 FS. History—New 7-16-92, Formerly 4-193.003, Amended 3-12-20,

690-193.005 Monthly, Quarterly, and Annual Reports.

(1) Monthly Statements.

If required by the Office pursuant to Section 651.0261(3), F.S., a provider shall file Form OIR-A3-973 within 25 days after the end of each month. Form OIR-A3-973, “Monthly Financial Report,” effective ~~7/20~~ ~~9/19~~, is hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11558>. The filing shall be submitted electronically via the Office’s system at <https://www.flair.com/iportal>.

(2) Quarterly Statements.

(a) As required by Section 651.0261(2), F.S., a provider shall file Form OIR-A3-974 within 45 days after the end of the fiscal quarter. Form OIR-A3-974, “Quarterly Financial Report,” effective ~~7/20~~ ~~9/19~~, is hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11559>. The filing shall be submitted electronically via the Office’s system at <https://www.flair.com/iportal>.

(b) In addition to Form OIR-A3-974, a provider shall submit Form OIR-A3-1245 for any facility for which a certificate of occupancy has not yet been issued. Form OIR-A3-1245, “Sales and Financial Report for a Non-Operational Facility,” effective 7/20 ~~9/19~~, is hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 11560>~~.

(3) Annual Report.

An Annual Report shall be filed with the Office, on or before May 1 of each year if the provider’s fiscal year end is December 31 or within 120 days of the last day of the fiscal year of the provider if the provider has declared a fiscal year other than the calendar year, on Form OIR-A3-470, “Annual Financial Report,” effective 7/20 ~~9/19~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 11561>~~.

The filings shall be submitted electronically via the Office’s system at <https://www.floir.com/iportal>.

Rulemaking Authority 651.015(3), 651.026(2), (9), 651.0261(1), (2), (4) FS. Law Implemented 651.026, 651.0261 FS. History–New 7-16-92, Formerly 4-193.005, Amended 3-12-20, \_\_\_\_\_.

690-193.050 Minimum Liquid Reserve Requirement.

(1) A Minimum Liquid Reserve (MLR) Calculation shall be filed with the Office, on or before May 1 of each year if the provider’s fiscal year end is December 31 or within 120 days of the last day of the fiscal year of the provider if the provider has declared a fiscal year other than the calendar year, on Form OIR-A3-477, “Minimum Liquid Reserve (MLR) Calculation,” effective 7/20 ~~10/19~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 11562>~~.

The filings shall be submitted electronically at <https://www.floir.com/iportal>.

(2) No change.

(3) For purposes of the MLR requirement, long-term financing includes, ~~but is not limited to~~, lease payments, mortgage payments, the long-term portion of any construction loan, and any long-term debt between affiliates or controlling parties of the provider that relate to the real property or fixtures of a facility.

(4) through (5) No change.

(6) To request Office approval of a withdrawal of MLR funds, a provider must file Form OIR-A3-1284, “Request for Withdrawal from Minimum Liquid Reserves,” effective 7/20 ~~10/19~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 11563>~~.

The filing shall be submitted electronically at <https://www.floir.com/iportal>.

(7) No change.

Rulemaking Authority 651.015(3), 651.026(2)(d), 651.035(9) FS. Law Implemented 651.026, 651.035 FS. History–New 7-16-92, Formerly 4-193.050, Amended 3-12-20, \_\_\_\_\_.

690-193.053 Waiver of Minimum Liquid Reserves.

(1) No change.

(2) To obtain a waiver for all or any part of the escrow requirement for mortgage principal and interest contained in Section 651.035(1), F.S., the provider must meet the requirements of Section 651.023(7), F.S., and file Form OIR-A3-1068, “Request for Waiver of Minimum Liquid Reserve Requirement,” effective 7/20 ~~9/19~~, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 11564>~~. The filings shall be submitted electronically at <https://www.floir.com/iportal>;

(3) through (4) No change.

Rulemaking Authority 651.015(3) FS. Law Implemented 651.023, 651.035 FS. History–New 7-16-92, Formerly 4-193.053, Amended 3-12-20, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Legal Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2022

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: RULE TITLES:

- 690-194.001 Scope
- 690-194.002 Definitions
- 690-194.003 Application
- 690-194.005 Prepaid Health Clinic Contract
- 690-194.009 Reporting Requirements
- 690-194.010 Fees
- 690-194.030 Forms Incorporated by Reference

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 690-194.

SUMMARY: 690-194.001 and .030 are repealed. 690-194.002 and .005 are amended to correct references of “PHAGE” to “PHC.” 690-194.003 is amended to transfer all aspects of the applications process from other rules in the chapter to one single rule. 690-194.009 is amended to correct references of “PHAGE” to “PHC,” delete the Monthly Marketing Statistical Report, and incorporate electronic versions of the annual report. 690-194.010 is amended to delete reference to the Department of Health.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The 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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 641.403, 641.41(1) FS.

LAW IMPLEMENTED: 641.402, 641.405, 641.406, 641.408, 641.412, 641.418, 641.42, 641.421, 641.441 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flor.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-194.001 Scope.

Rulemaking Authority 641.403 FS. Law Implemented 641.403 FS. History—New 5-9-85, Formerly 4-69.01, 4-69.001, 4-194.001, Repealed \_\_\_\_\_.

69O-194.002 Definitions.

(1) through (2) No change.

(3) Basic Services. Basic services include any of the following services which if offered shall meet the definitions in paragraphs (a) through (d) of this subsection:

(a) through (c) No change.

(d) Preventive Health Care Services. A program of health evaluation, education and immunizations shall be provided

which is designed to prevent illness and disease and to improve the general health of PHC subscribers. This program shall include at least the following:

1. through 3. No change.

4. Eye and ear examinations for children through age 17, to determine the need for vision and hearing correction; and;

5. No change.

(4) Assets.

(a) Assets Defined. In any determination of the financial condition of a ~~PHC prepaid health clinic~~, there shall be allowed as “assets” only those assets that are owned by the ~~PHC prepaid health clinic~~ and which assets consist of:

1. No change.

2. Investments, securities, properties, and loans acquired or held in accordance with part III, chapter 641, Florida Statutes, and in connection therewith the following items:

a. through c. No change.

d. Interest due or accrued on deposits or certificates of deposit in solvent banks, savings and loan associations, and trust companies domiciled in the United States, and interest due or accrued on other assets, if such interest is in the judgment of the ~~Office department~~ a collectible asset.

e. Interest due or accrued on current mortgage loans, in an amount not exceeding in any event the amount, if any, of the excess of the value of the property less delinquent taxes thereon over the unpaid principal; but in no event shall interest accrued for a period in excess of 90 days be allowed as an asset.

f. through g. No change.

3. Premiums in the course of collection, not more than 3 months past due, less commissions payable thereon. ~~This The foregoing~~ limitation shall not apply to premiums payable directly or indirectly by any governmental body in the United States or by any of their instrumentalities.

4. Furniture, fixtures, furnishings, vehicles, medical libraries, and equipment, if the original cost of each item is at least \$200, which cost shall be amortized in full over a period not to exceed 5 calendar years, unless otherwise approved by the ~~Office department~~.

5. through 6. No change.

7. Other assets, not inconsistent with the provisions of this rule, deemed by the ~~Office department~~ to be available for the payment of benefits and claims, at values to be determined by it.

(b) Evaluation of Assets. The Office, upon determining that a ~~PHC's PHAGE's~~ asset has not been evaluated according to applicable law or that it does not qualify as an asset, shall require the PHC to reevaluate the asset properly or to replace the asset with an asset acceptable to the Office within 90 days of this determination, if the removal of the asset from the ~~PHC's PHAGE's~~ assets would impair the ~~PHC's PHAGE's~~ solvency.

(c) Assets Not Allowed. In addition to assets impliedly excluded by the provisions of paragraph (a) of subsection (4), above, the following expressly shall not be allowed as assets in any determination of the financial condition of a PHC prepaid health clinic:

1. through 2. No change.

3. Stock of the PHC owned by it directly, or owned indirectly by it through any entity in which the PHC owns or controls, directly or indirectly, more than 25 percent of the ownership interest ~~therein~~.

4. through 8. No change.

(5) Liabilities.

(a) In any determination of the financial condition of a PHC prepaid health clinic, liabilities to be charged against its assets shall include:

1. through 3. No change.

(b) Evaluation of liabilities. The Office, upon determining that a PHC has failed to report liabilities that should have been reported, shall require a corrected report which reflects the proper liabilities to be submitted by the PHC to the Office within 10 working days of receipt of notification.

(6) No change.

(7) Surplus Notes. Surplus notes must meet the following requirements:

(a) They must be subordinated to the Florida minimum surplus requirement as provided for in Section 641.407, F.S.; ~~and~~

(b) They must be subordinated to all other liabilities; and,

(c) No change.

(8) Actuarily Sound. Means ~~“Actuarially Sound” means~~ the ability of the proposed PHC to deliver all the services to be furnished by the PHC at the rate structure established including administrative costs, which shall be defined as general and administrative expenses for the PHC. Actuarial soundness will be determined by the department based on a review of the actuarial study under which the rates and loss reserves are established. Consideration will be given to the character and amount of guaranteed services by the organizers, the method of marketing, and the degree of market penetration that can reasonably be expected.

(9) Excessive, Inadequate or Unfairly Discriminatory Rates. A rate shall be deemed to be excessive if the rate is unreasonably high for the services provided when compared with the cost for similar health care services in the community. A rate shall be deemed to be inadequate if the continued use of the rate endangers the solvency of the PHC using it, or if continued use by the PHC has or will have the effect of being unfair competition or creating a monopoly. This provision is designed to promote efficient and effective operation of PHC’s PHAGE’s. A rate shall be deemed to be unfairly discriminatory if the PHC knowingly makes or permits any unfair

discrimination between individuals of the same actuarially supportable class and essentially the same hazard, in the amount of premium, policy fees, rates charged, or benefits payable under the terms or conditions of the contract, or in any other manner whatever.

(10) No change.

Rulemaking Authority 641.403 FS. Law Implemented 641.402(1), 641.405, 641.406, 641.418, 641.42, 641.441, ~~641.515~~ FS. History—New 5-9-85, Formerly 4-69.02, 4-69.002, 4-194.002, Amended

69O-194.003 Prepaid Health Clinic Application.

Substantial rewording of Rule 69O-194.003, F.A.C. follows. See Florida Administrative Code for present text.

(1) An application for a person applying for a certificate of authority as a prepaid health clinic consists of the following:

(a) Form OIR-C1-483, “Application for Certificate of Authority Prepaid Health Clinic,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;

(b) Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;

(c) Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX; and

(d) Form OIR-C1-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX.

(2) A person applying for a certificate of authority as a prepaid health clinic shall submit forms in subsection (1) as directed by the Office electronically at https://www.flair.com/iportal.

Rulemaking Authority 641.403 FS. Law Implemented 641.405, 641.406 FS. History—New 5-9-85, Formerly 4-69.03, 4-69.003, 4-194.003, Amended

69O-194.005 Prepaid Health Clinic Contract.

(1)(a) “Prepaid health clinic” or “PHC contract” means the certificate or contract provided to the subscriber which describes the health care services provided and the amount to be charged. Every subscriber shall be given a PHC contract unless subsection (2) of this rule applies.

(b) Both individual and family prepaid health clinic contracts must contain the entire agreement between the PHC and the subscriber, including ~~but not limited to:~~ date of contract; rate to be charged; mode of payment, which shall be monthly; grace period for late payment; copayment features, if any; renewal conditions; services to be furnished; names and

addresses of the clinics or other facilities at which services are available; provisions pertaining to pre-existing conditions; limitations; exclusions and exceptions, such as waiting periods, specific conditions not covered and limitations on length of stay, enrollment and disenrollment procedures, and all other qualifying or limiting features; provisions pertaining to amount and kind of reimbursement made if the illness or accident happens outside of the PHC's PHAGE's geographic area and an explanation of this coverage; provisions for adding new family members; and any other information necessary for a complete understanding of what is covered and what is excluded by the contract.

(2) through (3) No change.

(4) All prepaid health clinic contracts must be clear and legible. All limitations, exclusions, and exceptions must be grouped together with captions in bold-faced type and shall be printed with at least the same prominence as provisions which describe the benefits.

Rulemaking Authority 641.403 FS. Law Implemented 641.42, 641.405, 641.406, 641.408, 641.421 FS. History—New 5-9-85, Formerly 4-69.05, 4-69.005, 4-194.005, Amended \_\_\_\_\_.

69O-194.009 Reporting Requirements.

Substantial rewording of Rule 69O-194.009, F.A.C. follows. See Florida Administrative Code for present text.

(1) Each PHC shall file with the Office a full and true report of its financial condition, transactions, and affairs.

(a) An annual report covering the preceding fiscal year shall be filed on or before April 1 or within 3 months of the end of the reporting period of the clinic.

1. The executed Jurat page of said report shall be transmitted electronically to the Office via the Regulatory Electronic Filing System, "REFS." The date affixed by the Office's electronic data processing system shall serve as evidence of the timeliness of the report. A report in any other format shall not be submitted to the Office.

2. Each PHC shall submit its report electronically to the National Association of Insurance Commissioners in accordance with the electronic filing instructions incorporated by reference in paragraph 69O-137.001(3)(b), F.A.C.

3. The report shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(a), F.A.C.

4. Copies of the manuals are available:

a. From the National Association of Insurance Commissioners at <http://www.naic.org> and

b. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

(b) Form OIR-A2-949, "Annual Report Contracts Issued & Outstanding," effective 12/20, hereby incorporated by reference and available [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). Form OIR-A2-949 shall be submitted electronically on or before April 1 or within 3 months of the end of the reporting period of the clinic via the Office's system at <https://www.floir.com/iportal>.

(c) Form OIR-A2-950, "Annual Report Damage Claims & Medical Injury," effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). Form OIR-A2-950 shall be submitted electronically on or before April 1 or within 3 months of the end of the reporting period of the clinic via the Office's system at <https://www.floir.com/iportal>.

(2) The Office shall grant an extension of time to file an annual report in subsection (1) if there exist conditions beyond the control of the authorized PHC, such as rehabilitation pursuant to section 641.419, F.S., or the laws of the state of domicile; severe damage to the PHC's physical premises by a natural or man-made disaster; or some other reason of similar gravity and severity. The request for an extension of time for filing an annual report shall be submitted to the Office at least 10 days before the filing is due. The extension shall be for the amount of time reasonable to file under the conditions which justified the extension.

Rulemaking Authority 641.403, 641.41(1) FS. Law Implemented 641.41 FS. History—New 5-9-85, Formerly 4-69.09, 4-69.009, 4-194.009, Amended \_\_\_\_\_.

69O-194.010 Fees.

Checks for the original filing or amendments thereto, and for filing of each annual report shall be made payable to the "Chief Financial Officer, State of Florida." ~~The portion allotted to the Department of Health shall then be remitted to that Department by the Chief Financial Officer.~~

Rulemaking Authority 641.403 FS. Law Implemented 641.412 FS. History—New 5-9-85, Formerly 4-69.10, 4-69.010, 4-194.010, Amended \_\_\_\_\_.

69O-194.030 Forms Incorporated by Reference.

Rulemaking Authority 641.403 FS. Law Implemented 624.424, 624.501(26), 641.402, 641.405, 641.41, 641.416 FS. History—New 6-25-90, Formerly 4-69.081, 4-194.030, Amended 7-30-17, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Lawrence, Jr., Chief Legal Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2021



**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-200.001	Purpose and Scope
69O-200.002	Definitions
69O-200.004	Qualification to Obtain and Hold a License
69O-200.006	Contractual Liability Insurers
69O-200.009	Form Filings
69O-200.011	Disapproval of Forms
69O-200.014	Exemption From Financial Examination
69O-200.015	Forms Incorporated by Reference
69O-200.017	Annual Reports

**PURPOSE AND EFFECT:** The Office of Insurance Regulation is updating Chapter 69O-200.

**SUMMARY:** 69O-200.001, 69O-200.002, 69O-200.006, 69O-200.014, and 69O-200.015 are repealed. 69O-200.004 is amended to include all applications for motor vehicle service agreement companies in one rule. 69O-200.009 is amended to make grammatical changes. 69O-200.011 is amended to update the rule language. 69O-200.017 is created concerning annual reports.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The 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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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:** 634.021, 634.061(1), 634.061(2)(c), 634.137(1), 634.137(5) FS.

**LAW IMPLEMENTED:** 624.307, 624.501, 634.031, 634.041, 634.061, 634.071, 634.121, 634.1213, 634.137, 634.141, 634.161, 634.252 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flor.com, (850)413-4112.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-200.001 Purpose and Scope.

Rulemaking Authority 634.021 FS. Law Implemented 624.307(1), 634, Part I FS. History–New 6-25-90, Formerly 4-114.001, 4-200.001, Repealed.

69O-200.002 Definitions.

Rulemaking Authority 634.021 FS. Law Implemented 634.011 FS. History–New 5-26-93, Formerly 4-200.002, Repealed.

69O-200.004 Application for License and License Renewal. ~~Qualification to Obtain and Hold a License.~~

Substantial rewording of Rule 69O-200.004, F.A.C. follows. See Florida Administrative Code for present text.

(1) Application for License as a Motor Vehicle Service Agreement Company

(a) An application for a license as a motor vehicle service agreement company consists of the following:

1. Form OIR-C1-994, “Application for License Motor Vehicle Service Agreement Company,” effective 3/21, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

2. Form OIR-C1-144, “Service of Process Consent & Agreement,” effective 6/04, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

3. Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

4. Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

5. Form OIR-C1-995, “List of Proposed Sales Representatives,” effective 10/05, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

6. Form OIR-C1-1423, “Biographical Affidavit,” effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX); and

7. Form OIR-C1-2221, “Management Information Form,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(b) A person applying for a license as a motor vehicle service agreement company shall submit the forms listed in paragraph (1)(a) as directed by the Office electronically at <https://www.floir.com/iportal>.

(2) License Continuance for Motor Vehicle Service Agreement Company

(a)1. All motor vehicle service agreement company licenses shall continue in force as long as licensee is entitled thereto under chapter 634, Part I, Florida Statutes.

2. Failure to submit the application for continuance by March 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a motor vehicle service agreement company shall submit Form OIR-A3-467 LR, "Application for License Continuance Motor Vehicle Service Agreement Company," effective 5/21, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX), filed electronically at <https://www.floir.com/iportal>.

Rulemaking Authority 634.021, 634.061(1), (2)(c) FS. Law Implemented 634.041 FS. History–New 5-26-93, Formerly 4-200.004, Amended 8-13-12, \_\_\_\_\_.

69O-200.006 Contractual Liability Insurers.

Rulemaking Authority 634.021 FS. Law Implemented 634.041 FS. History–New 5-26-93, Formerly 4-200.006, Amended 8-13-12, Repealed \_\_\_\_\_.

69O-200.009 Form Requirements Filings.

(1) No change.

(2) Every service agreement issued in this state shall contain at least the following:

(a) through (b) No change.

(c) A space for identifying the salesperson salesman licensed under section 634.171, F.S.;

(d) A space for a ~~an~~ unique identifying number;

(e) A space for an issue and expiration date; and,

(f) No change.

Rulemaking Authority 634.021 FS. Law Implemented 634.121 FS. History–New 5-26-93, Formerly 4-200.009, Repromulgated 8-13-12, Amended \_\_\_\_\_.

69O-200.011 Noncompliant Disapproval of Forms.

A company may be ordered to stop using any form will be disapproved if:

(1) It does not meet the minimum requirements set forth in rule 69O-200.009, F.A.C.; or and/or

(2) Contains names, telephone numbers, or other language which makes it difficult for the service agreement-buying public to determine which company actually has issued and is liable for the service agreement. This may include, ~~but is not limited to~~, the following:

(a) Prominent use of trade names; and,

(b) No change.

Rulemaking Authority 634.021 FS. Law Implemented 634.1213 FS. History–New 5-26-93, Formerly 4-200.011, Amended \_\_\_\_\_.

69O-200.014 Exemption From Financial Examination.

Rulemaking Authority 634.021 FS. Law Implemented 634.141, 634.416 FS. History–New 5-26-93, Formerly 4-200.014, Amended 8-13-12, Repealed \_\_\_\_\_.

69O-200.015 Forms Incorporated by Reference.

Rulemaking Authority 634.021 FS. Law Implemented 634.041, 634.061, 634.071, 624.501, 634.161, 634.252 FS. History–New 6-25-90, Formerly 4-114.015, Amended 5-26-93, 6-6-94, Formerly 4-200.015, Amended 8-13-12, Repealed \_\_\_\_\_.

69O-200.017 Annual Reports.

Annual Reports are to be filed with the Office, on or before March 1 of each year, on Form OIR-A3-467, "Annual Report for Motor Vehicle Service Agreement Company," effective 5/21, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX), and Form OIR-A3-1984, "Annual Report for Motor Vehicle Manufacturers," effective 5/21, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). The filings shall be submitted electronically at <https://www.floir.com/iportal>. If the Annual Report is not completed to include all information requested in the format provided, then it will not be deemed filed until all deficiencies are corrected.

Rulemaking Authority 634.021, 634.137(1), (5) FS. Law Implemented 634.137 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Michael Lawrence, Jr., Chief Legal Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 9, 2022

DEPARTMENT OF FINANCIAL SERVICES

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: RULE TITLES:

69O-202.001 Purpose and Scope

69O-202.005 Notification of Acquisition, Merger and Name Change

69O-202.008 General Eligibility Requirements

69O-202.012 Annual Statement

69O-202.015 Forms Incorporated by Reference

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Chapter 69O-202.

SUMMARY: Rules 69O-202.001, 69O-202.005, and 69O-202.015, are repealed. Rule 69O-202.008, F.A.C., is amended

to update the general eligibility requirements and how Form OIR-C1-1208 is submitted to the Office. Rule 690-202.012, F.A.C., is amended to update the annual statement requirements and amend the notary block of Form OIR-A3-1209 to comply with notary requirement changes due to Chapter 2019-71, Laws of Florida.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308, 627.481(11) FS.

LAW IMPLEMENTED: 624.307, 624.321(1), 624.424, 627.481 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: Michael Lawrence, Jr., Chief Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flair.com, (850)413-4112.

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

**690-202.001 Purpose and Scope.**

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 7-15-90, Formerly 4-117.001, Amended 1-7-97, Formerly 4-202.001. Repealed.

**690-202.005 Notification of Acquisition, Merger and Name Change.**

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.321(1), 627.481 FS. History—New 1-7-97, Formerly 4-202.005. Repealed.

**690-202.008 General Eligibility Requirements.**

(1) Any person engaging in the business of issuing donor annuity agreements must submit Form OIR-C1-1208 to the Office electronically at <https://www.flair.com/iportal> on the date on which the person enters into the first of these annuity agreements. Form OIR-C1-1208, “Notification to the Florida Office of Insurance Regulation as a Qualifying Issuer of Donor Annuity Agreements Pursuant to section 627.481, F.S.,” effective 6/20, is hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). ~~notify the Office in writing in a form prescribed by the Office in Form OIR-C1-1208, Notification to the Florida Office of Insurance Regulation as a Qualifying Issuer of Donor Annuity Agreements Pursuant to section 627.481, F.S., adopted in paragraph 690-202.015(1)(a), F.A.C. The notice must be made on the date on which the person first enters into a donor annuity agreement.~~

(2) No change.

Rulemaking Authority 624.308(1), 627.481(11) FS. Law Implemented 624.307(4), 627.481 FS. History—New 6-23-92, Amended 1-7-97, 12-24-03, Formerly 4-202.008. Amended.

**690-202.012 Annual Statement.**

(1) Within 60 days of the end of each fiscal year, each qualifying issuer of donor annuity agreements in this state must ~~submit a sworn statement on the form prescribed by the Office in Form OIR-A3-1209, “Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements,” effective 6/20, which is hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX) adopted in paragraph 690-202.015(1)(c), F.A.C., attesting that the issuer has met all requirements of law. Form OIR-A3-1209 shall be submitted to the Office electronically at <https://www.flair.com/iportal>.~~

(2) No change.

Rulemaking Authority 624.308(1), 627.481(11) FS. Law Implemented 624.307, 624.307(4), 627.481 FS. History—New 6-23-92, Amended 1-7-97, 12-24-03, Formerly 4-202.012. Amended.

**690-202.015 Forms Incorporated by Reference.**

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.424, 627.481 FS. History—New 7-15-90, Formerly 4-117.015, Amended 6-23-92, 1-7-97, 12-24-03, Formerly 4-202.015, Amended 7-30-17. Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Lawrence, Jr., Chief Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-203.010	Scope
69O-203.013	Definitions for the Purpose of These Rules
69O-203.020	Application for Certificate of Authority
69O-203.021	Standards for Fingerprint Cards for New Applicants and Acquisition Applications
69O-203.065	Reinsurance (Excess Loss Insurance)
69O-203.070	Annual and Quarterly Reports
69O-203.078	Fees
69O-203.093	Change of Ownership
69O-203.100	Prescribed Forms
69O-203.210	Forms Incorporated by Reference
69O-203.215	Annual Reports

**PURPOSE AND EFFECT:** The Office of Insurance Regulation is updating Chapter 69O-203.

**SUMMARY:** Rules 69O-203.010, 69O-021, 69O-203.093, and 69O-203.100 are repealed. Rule 69O-203.013 is amended to remove the definition for “complete application.” Rule 69O-203.020 is amended to contain all application materials for Prepaid Limited Health Service Organizations. Rule 69O-203.065 is amended to update the submission process for filing excess loss or reinsurance contracts with the Office. Rule 69O-203.070 is amended to incorporate the two annual reports and include the Office’s website for how the reports must be filed with the Office. Rule 69O-203.078 is amended to remove references to application filings. Rule 69O-203.210 is amended to make the Discount Plan Organization application rule consistent with other application rules. Rule 69O-203.215 is created to comprise all annual report requirements for Discount Plan Organizations. Forms incorporated by reference are amended to comply with notary requirement changes due to Chapter 2019-71, Laws of Florida.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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:** 624.424(1)(c), 636.067, 636.232 FS.

**LAW IMPLEMENTED:** 624.321(1)(a), 624.424, 628.4615, 636.003, 636.005, 363.007, 636.008, 636.009, 636.012, 636.015, 636.016, 636.043, 636.057, 636.058, 635.065, 636.204, 636.218, 636.220, 636.226, 636.228, 636.234, 636.236 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:** Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flair.com, (850)413-4112.

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

69O-203.010 Scope.

Rulemaking Authority 636.067 FS. Law Implemented Chapter 636 FS. History–New 11-15-94, Formerly 4-203.010. Repealed.

69O-203.013 Definitions for the Purpose of These Rules.

(1) All terms defined in the Prepaid Limited Health Service Organization Act, chapter 636, F.S., which are used in these rules shall have the same meaning as in the Act.

(2) Advertising. This includes, ~~but is not limited to,~~ printed and published material, descriptive literature and sales aids, sales talks and sales materials, booklets, forms and pamphlets, illustrations, depictions and form letters, newspaper, radio, television, or direct mail advertising. This includes any material or information intended to solicit or induce membership or the purchase of a limited health service plan.

(3) Co-payment. A specific dollar amount or percentage discount as specified in a subscriber contract, except as otherwise provided for by statute, that the subscriber must pay upon receipt of covered health care services.

(4) Emergency Services. Services which are needed immediately because of an injury or unforeseen medical condition as provided for in the Subscriber Contract.

(5) PLHSO. Prepaid Limited Health Service Organization shall be abbreviated as PLHSO in these rules.

(6) Premium. The contracted sum paid by or on behalf of a subscriber or group of subscribers on a prepaid per capita or a prepaid aggregate basis for limited health services rendered by or through the PLHSO.

~~(7) Complete Application. An application for a certificate of authority that contains all of the items specified in rule 69O-~~

~~203.020, F.A.C., and Form OIR-1119 (rev. 8/94) “Application for Certificate of Authority,” incorporated by reference in rule 690-203.100, F.A.C. The application must be completed in accordance with Chapter 636, F.S., and these rules in the manner specified within the application in order for each individual item to be considered complete for the purpose of determining that a properly completed application has been filed.~~

~~(7)(8) Waiting Period.~~ Waiting period shall relate to that period of time which may be specified in the contract and which must follow the date a person is initially covered under the contract before coverage shall become effective as to such person.

~~(8)(9) Pre-Existing Condition or Illness.~~ A condition, or symptoms thereof, which was diagnosed and for which the individual received medical advice or treatment from a physician within a 3 month period preceding the effective date of coverage.

~~(9)(10) Prepayment.~~ Any premium paid by or on behalf of a subscriber which entitles the subscriber to access to limited health services.

Rulemaking Authority 636.067 FS. Law Implemented 636.003, 636.008, 636.009, 636.015, 636.016 FS. History—New 11-15-94, Formerly 4-203.013. Amended \_\_\_\_\_.

690-203.020 Prepaid Limited Health Service Organization Application for Certificate of Authority.

Substantial rewording of Rule 690-203.020, F.A.C. follows. See Florida Administrative Code for present text.

(1) A person applying for a certificate of authority as a prepaid limited service organization shall submit the following:

(a) Form OIR-C1-1119, “Application for Certificate of Authority Prepaid Limited Health Service Organization,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(b) Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(c) Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX);

(d) Form OIR-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX).

(2) A person shall submit the forms listed in subsection (1) electronically via the Office’s iApply system at <https://www.flor.com/iportal>.

An application, Form number OIR-C1-1119, incorporated by reference, in rule 690-203.100, F.A.C., accompanied by the

~~appropriate filing fee, shall be completed by each entity desiring to obtain a certificate of authority as a PLHSO. The applicant shall specify in the application the contact person or persons for the PLHSO for purposes of corresponding between the Office and the PLHSO concerning the application. During the investigation of the application, only contact persons specified by the PLHSO shall be permitted access to the application materials submitted. The applicant shall address correspondence to the Application Coordination Section, Insurer Services Support, Office of Insurance Regulation, Tallahassee, Florida 32399-0332. The Office shall accept and begin its investigation of an application promptly after receiving it. All application reviews will be conducted pursuant to chapter 120, F.S.~~

Rulemaking Authority 636.067 FS. Law Implemented 636.005, 636.007, 636.008, 636.009 FS. History—New 11-15-94, Formerly 4-203.020. Amended \_\_\_\_\_.

690-203.021 Standards for Fingerprint Cards for New Applicants and Acquisition Applications.

Rulemaking Authority 636.067 FS. Law Implemented 636.007, 636.008 FS. History—New 11-15-94, Formerly 4-203.021. Repealed, \_\_\_\_\_.

690-203.065 Reinsurance (Excess Loss Insurance).

PLHSOs may obtain reinsurance (excess loss insurance) in order to limit the PLHSO’s financial risk. All excess loss or reinsurance contracts shall be filed with and approved by the Office. In addition to the regular insurance filing of any reinsurance (excess loss insurance) contract, if the reinsurance (excess loss insurance) contract contains insolvency protection for the PLHSO, the contract shall be submitted for prior approval to the Office of Insurance Regulation, Life and Health Financial Oversight, electronically through <http://www.flor.com/iportal>. Bureau of Life and Health Insurer Solvency Office of Insurance Regulation, Tallahassee, Florida 32399-0327.

Rulemaking Authority 636.067 FS. Law Implemented 636.009 FS. History—New 11-15-94, Formerly 4-203.065. Amended \_\_\_\_\_.

690-203.070 Annual and Quarterly Reports.

(1) Each PLHSO shall file with the Office a full and true report of its financial condition, transactions, and affairs.

(a) An Annual Report covering the preceding fiscal year shall be filed on or before April 1 or within 3 months of the end of the reporting period of the clinic. Pursuant to Section 636.043, F.S., each PLHSO shall furnish to the Office an annual report by April 1, or within 3 months after the end of the reporting period on NAIC Annual Statement Health Blanks as adopted in Rule 690-137.001, F.A.C.

1. The Annual Report shall be transmitted electronically to the National Association of Insurance Commissioners and that

the executed Jurat page of said report has been transmitted electronically to the Office via the Regulatory Electronic Filing System, "REFS." The date affixed by the Office's electronic data processing system shall serve as evidence of the timeliness of the Annual Report. An Annual Report in any other format shall not be submitted to the Office.

2. Each PLHSO shall submit its Annual Report electronically to the National Association of Insurance Commissioners in accordance with the electronic filing instructions incorporated by reference in paragraph 69O-137.001(3)(b), F.A.C.

3. The Annual Report shall be prepared in accordance with the manuals incorporated by reference in paragraph 69O-137.001(4)(a), F.A.C.

4. Copies of the manuals are available:

a. From the National Association of Insurance Commissioners at <http://www.naic.org>; and,

b. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

(b) Form OIR-A2-949, "Annual Report Contracts Issued & Outstanding," effective 12/20, hereby incorporated by reference and available [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). Form OIR-A2-949 shall be submitted electronically on or before April 1 or within 3 months of the end of the reporting period of the clinic via the Office's system at <https://www.floir.com/iportal>.

(c) Form OIR-A2-950, "Annual Report Damage Claims & Medical Injury," effective 12/20, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). Form OIR-A2-950 shall be submitted electronically on or before April 1 or within 3 months of the end of the reporting period of the clinic via the Office's system at <https://www.floir.com/iportal>.

(d)(b) The completed Annual Reports ~~annual statement form~~ shall be accompanied by the items required in section 636.043, F.S., and an organization chart of the PLHSO identifying ownership and affiliated parent and subsidiary companies.

(2) Each PLHSO or applicant shall notify the Office of any legal proceeding, excluding traffic infractions, involving any person subject to providing biographical information. This shall include, ~~but not be limited to,~~ any and all criminal, civil, and administrative actions entered by any state or federal entity and to include pending but yet unresolved actions.

(3) Any PLHSO which has operations in states other than Florida shall file its Annual Report ~~annual report~~ based upon its total operations. In addition, the PLHSO shall file a separate schedule of all financial statements specified in the Annual Report ~~annual report form~~, including the audited financial statement, which covers the Florida operations only.

(4) If a PLHSO constitutes a portion of or a division of a certificated entity, the entity shall file its Annual Report ~~annual report~~ based upon its total operations. In addition, the entity shall file a separate schedule of all financial statements specified in the Annual Report ~~annual report form~~, including the audited financial statement, which covers the PLHSO operation only.

(5) The Annual Report ~~annual report~~ shall include disclosure of material transactions between the PLHSO and a related party. The disclosure shall include:

(a) The nature of the relationship(s) involved.

(b) A description of the transaction, including transactions to which no amounts or nominal amounts were ascribed, for each of the periods for which income statements are presented, and such other information deemed necessary to an understanding of the effects of the transaction on the financial statements.

(c) The dollar amounts of transactions for each of the periods for which income statements are presented and the effects of any change in the method of establishing the terms from that used in the preceding period.

(d) Amounts due from or to related parties as of the date of each balance sheet presented and, if not otherwise apparent, the terms and manner of settlement.

(6) Quarterly reports shall be submitted to the Office within forty-five (45) days following the end of each operating quarter. The initial operating quarter commences after the issuance of a certificate of authority. Quarterly reports shall be submitted in accordance with section 636.043, F.S., on NAIC Quarterly Statement Health Blanks, as adopted in rule 69O-137.001, F.A.C., and shall contain the following supplemental schedules:

(a) A complete identification and dollar value breakdown of all short term investments with individual balances greater than 10% of total short term investments;

(b) A complete list of all debtors with account balances greater than 10% of total prepaid expenses;

(c) An aging analysis on all premium receivables;

(d) A complete aging, identification, and dollar value breakdown of all prepaid expenses with individual balances greater than 10% of total prepaid expenses;

(e) A complete identification and dollar value breakdown of all restricted assets and restricted funds with individual balances greater than 10% of the respective account balance total;

(f) A complete identification and dollar value breakdown of all long term investments with individual balances greater than 10% of total long term investments;

(g) A complete identification and dollar value breakdown of other assets with individual balances greater than 10% of total other assets; and

(h) All surplus notes shall be identified by a complete identification and dollar value breakdown and shall be accompanied by a copy of the surplus note agreement. Each PLHSO is required to submit four (4) quarterly reports in addition to an annual report each fiscal year.

Rulemaking Authority 636.067 FS. Law Implemented 636.009(1)(f), 636.043, ~~636.058~~ ~~626.058~~ FS. History—New 11-15-94, Formerly 4-203.070, Amended 9-16-08. Amended \_\_\_\_\_.

#### 69O-203.078 Fees.

~~Checks for the original application filing or amendments thereto, for filing of each annual report, and for any other fees collected pursuant to these rules or chapter 636, F.S., shall be made payable to the Florida Department of Financial Services. “Chief Financial Officer, State of Florida.”~~

Rulemaking Authority 636.067 FS. Law Implemented 636.057 FS. History—New 11-15-94, Formerly 4-203.078. Amended \_\_\_\_\_.

#### 69O-203.093 Change of Ownership.

Rulemaking Authority 636.067 FS. Law Implemented 636.065, 628.4615 FS. History—New 11-15-94, Formerly 4-203.093. Repealed, \_\_\_\_\_.

#### 69O-203.100 Prescribed Forms.

Rulemaking Authority 636.067 FS. Law Implemented 624.321(1)(a), 624.424, 636.005, 636.008, 636.009, 636.012, 636.043 FS. History—New 11-15-94, Formerly 4-203.100, Amended 7-30-17. Repealed, \_\_\_\_\_.

#### 69O-203.210 Discount Plan Organization Application Forms Incorporated by Reference.

Substantial rewording of Rule 69O-203.210, F.A.C. follows. See Florida Administrative Code for present text.

(1) A person applying for a certificate of authority as a discount plan organization shall submit the following:

(a) Form OIR-C1-1606, “Application for License Discount Plan Organization (DPO),” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10323>;

(b) Form OIR-C1-144, “Service of Process Consent & Agreement,” effective 6/04, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10326>;

(c) Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10329>;

(d) Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10325>;

(e) Form OIR-C1-1423, “Biographical Affidavit,” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10324>; and

(f) Form OIR-C1-2221, “Management Information Form,” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10327>; and

(2) A person shall submit the forms listed in subsection (1) electronically via the Office’s iApply system at <https://www.floir.com/iportal>.

(1) The following forms are hereby incorporated by reference:

(a) Form OIR-C1-1606, Application for License Discount Plan Organization (DPO), effective 01/18, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10323>;

(b) Form OIR-C1-1423, Biographical Affidavit, effective 03/18, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10324>;

(c) Form OIR-C1-938, Fingerprint Payment and Submission Procedure, effective 10/18, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10325>;

(d) Form OIR-C1-144, Service of Process Consent & Agreement, effective 06/04, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10326>;

(e) Form OIR-C1-1298, Management Information Form Complete List of Officers, Directors, and Shareholders (10% or more), effective 03/18, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10327>; and

(f) OIR-A1-1671, Annual Report – Discount Plan Organizations (05/18), available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10328>;

(g) Form OIR-C1-905, Instructions for Furnishing Background Investigative Reports, effective 02/15, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10329>.

(2) All of the above referenced forms are available and may be printed from the Office of Insurance Regulation’s website: <http://www.floir.com/iportal>.

Rulemaking Authority 624.424(1)(c), 636.232 FS. Law Implemented 624.424, 636.204, 636.218, 636.220, 636.226, 636.228, 636.234, 636.236 FS. History—New 5-22-05, Amended 10-29-08, 7-30-17, 4-11-19. Amended \_\_\_\_\_.

#### 69O-203.215 Annual Reports.

Annual Reports are to be filed with the Office within three months after the end of each fiscal year on Form OIR-A1-1671, “Annual Report – Discount Plan Organizations,” effective 5/18, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). The filings shall be submitted electronically via the Office’s system at <https://www.floir.com/iportal>.

Rulemaking Authority 638.218(2), 636.232 FS. Law Implemented 636.218 FS. History-New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Michael Lawrence, Jr., Chief Legal Counsel  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 18, 2021

**DEPARTMENT OF FINANCIAL SERVICES**

**Residual Markets and Special Risk Pools**

RULE NOS.:      RULE TITLES:  
 69P-1.001      Plan of Operation and Articles of Agreement Adopted  
 69P-1.002      Assessment Base Determination  
 69P-1.011      Purpose  
 69P-1.012      Definitions  
 69P-1.013      Time for Filing; Content  
 69P-1.014      Test for Deferment  
 69P-1.015      Conditions to Deferred Assessment  
 69P-1.016      Restrictions  
 69P-1.017      Effect on Deferred Assessment  
 69P-1.018      Payments on Surplus Note  
 69P-1.019      Terms of Surplus Note

PURPOSE AND EFFECT: Chapter 69P-1 is no longer required, and all the rules will be repealed.

SUMMARY: Chapter 69P-1, F.A.C., concerns the Florida Windstorm Underwriting Association, which no longer exists after it merged with the Florida Residential Property and Casualty Joint Underwriting Association, which later became Citizens Property Insurance Corporation. All eleven rules in the chapter will be repealed.

**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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1), and 627.351(2), (4), F.S.

LAW IMPLEMENTED: 624.307, 624.308, and 627.351, F.S. 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: Michael Lawrence, Jr., Chief Legal Counsel, Office of Insurance Regulation, Michael.LawrenceJr@flor.com, (850)413-4112.

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

69P-1.001 Plan of Operation and Articles of Agreement Adopted.

Rulemaking Authority 624.308(1), 627.351(2) FS. Law Implemented 624.307(1), 627.351(2) FS. History–New 6-29-83, Formerly 4-49.01, Amended 9-7-88, 10-18-90, Formerly 4-49.001, Amended 11-20-95, 12-5-96, 11-19-97, 1-8-01, Formerly 4J-1.001, Repealed \_\_\_\_\_.

69P-1.002 Assessment Base Determination.  
 Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 627.351(2)(b) FS. History–New 11-20-95, Formerly 4J-1.002, Repealed \_\_\_\_\_.

69P-1.011 Purpose.  
 Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History–New 7-17-80, Formerly 4-50.01, 4-50.001, 4J-1.011, Repealed \_\_\_\_\_.

69P-1.012 Definitions.  
 Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History–New 7-17-80, Formerly 4-50.02, 4-50.002, 4J-1.012, Repealed \_\_\_\_\_.

69P-1.013 Time for Filing; Content.  
 Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History–New 7-17-80, Formerly 4-50.03, 4-50.003, 4J-1.013, Repealed \_\_\_\_\_.

69P-1.014 Test for Deferment.  
 Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History–New 7-17-80, Formerly 4-50.04, 4-50.004, 4J-1.014, Repealed \_\_\_\_\_.

69P-1.015 Conditions to Deferred Assessment.  
 Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History–New 7-17-80, Formerly 4-50.05, 4-50.005, 4J-1.015, Repealed \_\_\_\_\_.

69P-1.016 Restrictions.



Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History—New 7-17-80, Formerly 4-50.06, 4-50.006, 4J-1.016, Repealed.

69P-1.017 Effect on Deferred Assessment.

Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History—New 7-17-80, Formerly 4-50.07, 4-50.007, 4J-1.017, Repealed.

69P-1.018 Payments on Surplus Note.

Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History—New 7-17-80, Formerly 4-50.08, 4-50.008, 4J-1.018, Repealed.

69P-1.019 Terms of Surplus Note.

Rulemaking Authority 627.351(4) FS. Law Implemented 627.351(4)(d) FS. History—New 7-17-80, Formerly 4-50.09, 4-50.009, 4J-1.019, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Lawrence, Jr., Chief Legal Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 29, 2022

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

NONE

### Section IV Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE NO.:       RULE TITLE:  
53ER22-16       LOTTO BONUS PLAY PROMOTION  
SUMMARY OF THE RULE: This emergency rule sets forth the provisions for the LOTTO BONUS PLAY PROMOTION. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva A. Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER22-16 Lotto Bonus Play Promotion.

(1) Beginning April 11, 2022 and ending May 22, 2022 (“Promotion Period”), the Florida Lottery will conduct the Lotto Bonus Play Promotion (“Promotion”). Players who purchase FLORIDA LOTTO® tickets with or without Double

Play® or EZmatch™ during the Promotion Period or redeem a free Lotto ticket prize during the Promotion Period can earn entries into a Promotion Drawing for a chance to win a cash prize of \$5,000; \$10,000; or \$25,000 or gift cards of \$1,000 (The Home Depot®); \$1,000 (Bass Pro Shops®); or \$500 (Fandango®/VUDU®). All FLORIDA LOTTO with or without Double Play tickets (winning, non-winning, and free) [collectively “Eligible” ticket(s)] may be used to enter the Promotion. Continuation tickets are excluded and cannot be entered in the Promotion.

(2) How to Enter.

(a) To enter an Eligible FLORIDA LOTTO with or without Double Play or EZmatch ticket into a Promotion Drawing, a player may use the Florida Lottery's website at [flalottery.com](http://flalottery.com) or use the Florida Lottery's Mobile Convenience App (“App”).

1. Website. On the home page of the Florida Lottery's website, players are to click on the PROMOTIONS tab, select the Lotto Bonus Play Promotion and follow the directions. Players will be prompted to log-in or register. Players will manually enter the 19-digit ticket number on the ticket entry page to collect entries as described in subsection (3), below.

2. App. On the App, players navigate to the Promotions section of the app, select the Lotto Bonus Play Promotion, and follow the directions. A Promotions button is located on the main menu and on the bottom navigation bar. Players will be prompted to log-in or register if the app does not recognize them as already logged into the Promotions section. Players may scan the barcode on the bottom of a ticket or may manually enter the 19-digit ticket number on the ticket entry page to collect entries as described in subsection (3), below.

3. Deleted Accounts. If a player deletes his/her account, whether through the App or on the Florida Lottery’s website, all account data, including ticket entries, associated with the email address used to register his/her account will also be deleted. Any entries earned, as described in subsection (3), below, will not be entered into a drawing. A player’s account cannot be reactivated using the email associated with the deactivated account. Should a player establish a new account utilizing a different email address, account data, including ticket entries, cannot be transferred to the newly established account. Tickets entered under the prior account cannot be re-entered utilizing the newly created account.

4. Regardless of whether a player chooses to participate in the Promotion by using the web browser or the App, the following provisions shall apply:

a. the player must use the same account login information to enter tickets;

b. the player will only be required to register one time; and

c. the player's entry history will be cumulative among the entry platforms.

(b) Any attempt by a player to use more than one account by using multiple or different email addresses, identities, registrations, logins, or any other methods will subject the player and any associated entries to disqualification. In the event a player wins a prize, the name a player uses to register must match the name shown on his/her identification used to make a claim, except for a person who has made a legal name change. A person who has made a legal name change must provide a copy of a marriage certificate/judgment/court order, as applicable, as proof of a differing name. Fictitious names and business names will not be accepted and shall subject the player and any associated entries to disqualification.

(c) The odds of winning depend on the number of entries in the drawing. All entries are subject to validation by the Florida Lottery and will be disqualified if eligibility requirements are not met.

(d) Lottery tickets should not be mailed to the Lottery for entry into the drawing. Lottery tickets received in the mail by the Florida Lottery for entry into the Promotion will not be entered into the drawing and will not be returned.

**(3) How to Earn Entries into the Promotion.**

(a) To earn entries into a Promotion Drawing, a player may enter ticket numbers by scanning the barcode on the bottom of an Eligible ticket using his or her mobile device or by manually entering the 19-digit ticket number on the website or the App. A player may earn multiple entries during an entry period; however, a player can only win one promotion prize per entry. A player may enter a maximum of 200 tickets per day. Each ticket number can only be entered one time and cannot be entered again for either drawing. Training tickets will not be accepted, and tickets with invalid ticket numbers will be disqualified. The hours for ticket entry are between 6:00 a.m. ET and 12:00 midnight ET seven days a week during the Promotion Period.

(b) Number of Entries Received. For each Eligible ticket, a player will receive the number of draw entries equal to the dollar value of the Eligible ticket entered.

(c) Promo Codes. Various promo codes providing additional entries will be available during the Promotion Period via GSTV L-Bar (gas station TV), High Impact Digital Units, CTV (Connected TV), and emails to players. Each Promo code earns a player five (5) additional entries into a drawing. Eligible ticket(s) must be entered to enable the promo code feature, and the ticket number and the promo code must be entered at the same time. Each promo code is only valid for the corresponding entry period for which it is designated and can only be entered one time. However, more than one different promo code may be entered during the corresponding entry period for which it is designated, each with a different ticket number. Promo codes available for Entry Period 1 cannot be used, and will not be valid, for Entry Period 2

(4) Drawings and Number of Prizes. The Florida Lottery will conduct two drawings in the Promotion to select prizewinners. Prizewinners for the first drawing will be randomly selected from entries submitted and received during the first drawing entry period and before midnight (ET) on May 1, 2022. Prizewinners for the second drawing will be randomly selected from entries submitted and received during the second drawing entry period and before midnight (ET) on May 22, 2022. Entries for the first drawing entry period are not carried over into the second drawing entry period; tickets shall be drawn only from the Eligible ticket entries submitted and received during each drawing entry period. Prizewinners will be randomly selected using a certified random number generation process. The drawing shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The drawing dates, entry periods, and winner announcement dates are as follows:

DRAWING ENTRY PERIOD	DRAWING DATE	WINNERS ANNOUNCED
April 11, 2022 through May 1, 2022	May 3, 2022	May 5, 2022
May 2, 2022 through May 22, 2022	May 24, 2022	May 26, 2022

(a) The prizewinners in a Promotion Drawing will be announced and posted on flalottery.com on the “WINNERS ANNOUNCED” dates, set forth in the table above, or as soon as thereafter as possible.

(b) In each Promotion Drawing, a total of 307 valid entries will be drawn by the Florida Lottery. Prizes will be awarded in the quantities set forth in the table in subsection (5), below, and awarded to players in the order in which they were drawn during each drawing. Remaining entries will be alternates and used in the order in which they were drawn and in the order of need to select alternate grand, second, and third prizewinners in the event a grand, second, or third prizewinner cannot be notified or fails to timely provide required claim documentation as set forth in subsection (7), below, or in the event an entry is disqualified. Alternates will not be drawn for fourth, fifth, or sixth prizes. A player may only win one prize per draw entry.

(5) The prizes, prize amounts, and number of prizewinners are listed in the table, below:

PRIZE	AMOUNT/VALUE	NUMBER OF WINNERS PER DRAWING	TOTAL NUMBER OF WINNERS	TOTAL PRIZE AMOUNT
GRAND PRIZE	\$25,000	1	2	\$50,000
2 <sup>nd</sup> Prize	\$10,000	2	4	\$40,000
3 <sup>rd</sup> Prize	\$5,000	5	10	\$50,000
4 <sup>th</sup> Prize (The Home Depot® gift card)	\$1,000	74	148	\$148,000
5 <sup>th</sup> Prize (Bass Pro Shops®)	\$1,000	121	242	\$242,000

gift card)				
6 <sup>th</sup> Prize (Fandango®/VUDU® gift card)	\$500	79	158	\$79,000
TOTALS	N/A	282	564	\$609,000

(6) Prizewinner Notification. The Florida Lottery will attempt to notify each prizewinner by telephone or email using the contact information provided in the prizewinner’s registration data no later than one business day after the prizewinners are posted on the Florida Lottery’s website. The Florida Lottery deems the prizewinner’s registration data as the prizewinner’s official contact information. Issuing an email or leaving a telephone message on voicemail, if available, shall constitute notification. The Florida Lottery will not attempt to further locate a prizewinner if attempts to reach the prizewinner by telephone or email are unsuccessful. If the Florida Lottery is unable to have contact by telephone or email with a prizewinner within ten calendar days of the date the prizewinners are posted on the Lottery’s website, the prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will select an alternate prizewinner in accordance with subsection (4), above. If the Florida Lottery is unable to have contact by email or telephone with the alternate prizewinner within ten calendar days of the date of notification, the alternate prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will select the next alternate prizewinner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of alternates due to unsuccessful notification attempts or due to failure by a prizewinner or an alternate prizewinner to timely provide required claim documentation as set forth in subsection (7), below. The Florida Lottery is not responsible or liable for system failures of any sort or type, including, but not exclusively, computer failures, email service failures, telephone failures. If a prize cannot be awarded for any reason, the prize will not be awarded.

(7) How to Claim a Prize.

(a) To claim a prize won valued at \$1,000 and greater in a Promotion drawing, a prizewinner must submit to the Florida Lottery a completed Winner Claim Form DOL-173-2, Revised 3/21, or Spanish Winner Claim Form DOL-173-2S, Revised 3/21, and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes.

(b) To claim a \$500 Fandango®/VUDU® gift card prize, a prizewinner must submit to the Florida Lottery a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes.

(c) A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(d) The required documents must be received by the Florida Lottery no later than ten calendar days after the Florida Lottery has first notified the prizewinner by telephone (notification by telephone is deemed complete by leaving a voicemail message, if available) or email (issuing an email constitutes notification). If the Florida Lottery does not receive the required documents from a prizewinner by the tenth calendar day after notification, the prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate prizewinner as described in subsection (4), above. The same timeframe for a prizewinner to return required documentation to the Florida Lottery shall apply to an alternate prizewinner.

(8) Award of Prizes. Upon the Florida Lottery’s timely receipt of a prizewinner’s required documentation, the Florida Lottery will award the applicable prize for that prizewinner, subject to Federal tax withholding and analysis for State-Owed Debt and Child Support Debt.

(9) Analysis for State-Owed Debt and Child Support Debt. Prior to the award of all cash prizes, a prizewinner will be analyzed for Florida state-owed debt and child support debt. If more than one prize is awarded to the prizewinner, a separate analysis shall occur prior to payment of each prize. If the prizewinner is identified as owing outstanding debt to any state agency or owes child support collected through a court, the debt will be offset in accordance with section 24.115, F.S. If the debt is an amount less than the amount of the cash prize, the balance of the prize less applicable income tax withholding and after the debt is offset shall be awarded. If the debt is an amount greater than any cash prize, the entire prize amount, after applicable income tax withholding, will be applied to the outstanding debt.

(10) A player can only win one prize per entry.

(11) A prizewinner in this Promotion is not required to submit the Eligible ticket he or she entered to claim a prize.

(12) Taxes.

(a) Except as specifically defined herein, all Federal, state, and/or local taxes and/or other costs and fees on all prizes will be the responsibility of the prizewinner.

(b) For \$25,000 and \$10,000 cash prizes won in the Promotion drawings, and pursuant to applicable provisions of the Internal Revenue Service code, Federal income taxes will be withheld at a rate of twenty-four percent (24%) for a U. S. citizen or legal U. S. resident and at a rate of thirty percent (30%) for nonresident prizewinner/s. Regardless of prize amount, for all cash prizes won in the Promotion drawing, Federal income taxes will be withheld at a rate of thirty percent (30%) for nonresident prizewinners. For all gift cards, a nonresident prizewinner will be required to pay the Florida Lottery an amount of thirty percent (30%) for Federal income taxes on the value of the gift card won prior to issuance of the gift card to him/her. The reporting and subsequent payment of

any additional Federal, state, and/or local taxes and any other fees and costs shall be the responsibility of the prizewinner.

(13) Other Restrictions and Provisions.

(a) A prizewinner must be at least 18 years of age.

(b) All prizes are subject to the provisions of chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Persons prohibited by section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to enter this Promotion.

(d) By entering the Lotto Bonus Play Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation. Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 4-11-22.

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: 4/11/2022

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:

53ER22-17 Game Number 5030, \$50 EXPLOSION

SUMMARY OF THE RULE: This emergency rule describes Game Number 5030, "\$50 EXPLOSION" 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, value and number 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 THIS EMERGENCY RULE IS:

53ER22-17 Game Number 5030, \$50 EXPLOSION.

(1) Name of Game. Game Number 5030, \$50 EXPLOSION.

(2) Game Number 5030, \$50 EXPLOSION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$50 EXPLOSION lottery tickets sell for \$1.00 per ticket.

(4) \$50 EXPLOSION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$50 EXPLOSION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, and any subsequent amendments, Payment of Prizes, F.A.C.

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:



(6) The play symbols and play symbol captions that may appear in the WINNING NUMBER play area are as follows:



(7) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:



(8) The legends and fixed symbols are:



(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBER play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a WIN play symbol and corresponding play symbol caption shall entitle the prizewinner to the prize shown.

(b) A player may win up to five (5) times on a ticket.

(10) The odds of winning, value, and number of prizes in Game Number 5030 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 75.02 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	1,680,420

\$1 x 2	\$2	16.66	1,080.389
\$2	\$2	75.04	239.927
\$1 x 4	\$4	149.98	120.050
(\$1 x 2) + \$2	\$4	300.10	59.995
\$2 x 2	\$4	150.02	120.010
\$4	\$4	299.90	60.035
(\$1 x 3) + \$2	\$5	375.11	47.998
\$1 x 5	\$5	374.91	48.024
(\$2 x 2) + \$1	\$5	375.24	47.981
\$1 + \$4	\$5	749.94	24.008
\$5	\$5	1,496.14	12.034
(\$4 x 2) + \$2	\$10	500.63	35.964
\$2 x 5	\$10	374.86	48.030
(\$2 x 2) + \$5 + \$1	\$10	299.80	60.055
\$5 x 2	\$10	750.84	23.979
\$10	\$10	1,498.25	12.017
\$4 x 5	\$20	1,502.25	11.985
\$5 x 4	\$20	1,498.25	12.017
(\$5 x 2) + \$10	\$20	1,501.50	11.991
\$10 x 2	\$20	1,496.14	12.034
\$20	\$20	1,501.88	11.988
(\$5 x 3) + \$10	\$25	6,011.52	2.995
\$5 x 5	\$25	5,979.57	3.011
(\$10 x 2) + \$5	\$25	7,966.59	2.260
\$5 + \$20	\$25	7,938.49	2.268
\$25	\$25	11,963.12	1.505
(\$5 x 4) + \$20	\$40	12,043.14	1.495
\$25 + \$5 + \$10	\$40	11,963.12	1.505
(\$10 x 3) + (\$5 x 2)	\$40	7,956.03	2.263
\$10 x 4	\$40	11,860.67	1.518
\$40	\$40	24,495.92	735
\$25 x 2	\$50	5,991.51	3.005
\$10 x 5	\$50	6,047.87	2.977
(\$10 x 2) + (\$5 x 2) + \$20	\$50	5,979.57	3.011
(\$10 x 3) + \$20	\$50	5,969.66	3.016
\$50	\$50	2,003.84	8.985

(11) The overall odds of winning some prize in Game Number 5030 are 1 in 4.71. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 5030, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for Game Number 5030, \$50 EXPLOSION lottery tickets shall be made in accordance with the rule 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. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-7-22.

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: 4/7/2022

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER22-18  
 RULE TITLE: Game Number 5031, \$500 WILD CASH BONANZA

SUMMARY OF THE RULE: This emergency rule describes Game Number 5031, "\$500 WILD CASH BONANZA" 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, value and number 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 THIS EMERGENCY RULE IS:

53ER22-18 Game Number 5031, \$500 WILD CASH BONANZA.

(1) Name of Game. Game Number 5031, \$500 WILD CASH BONANZA.

(2) Game Number 5031, \$500 WILD CASH BONANZA is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$500 WILD CASH BONANZA lottery tickets sell for \$10.00 per ticket.

(4) \$500 WILD CASH BONANZA lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$500 WILD CASH BONANZA lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, Payment of Prizes, F.A.C.

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are:



(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are:



(7) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are:



(8) The legends and fixed symbols are:


WINNING NUMBERS


YOUR NUMBERS


(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that

matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a  play symbol and corresponding play symbol caption shall entitle the prizewinner to double the prize

shown. A ticket having a  play symbol and corresponding play symbol caption shall entitle the prizewinner to all twenty (20) prizes shown.

(b) A player may win up to twenty (20) times on a ticket.

(10) The odds of winning, value, and number of prizes in Game Number 5031 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 242.41 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	37.51	775,568
\$5 (2X)	\$10	30.00	969,693
\$10	\$10	60.02	484,664
\$5 x 3	\$15	60.03	484,583
\$5 + \$10	\$15	59.98	484,958
\$5 (2X) + \$5	\$15	30.00	969,667
\$15	\$15	59.98	484,958
\$5 x 4	\$20	60.00	484,842
\$2 (2X) x 5	\$20	100.01	290,864
\$10 (2X)	\$20	149.98	193,952
\$5 (2X) + (\$5 x 2)	\$20	60.02	484,664
\$20	\$20	59.98	484,958
\$5 x 5	\$25	399.93	72,735
\$10 (2X) + \$5	\$25	240.08	121,160
\$5 + (\$10 x 2)	\$25	399.44	72,824
(\$2 (2X) x 5) + \$5	\$25	150.03	193,889
\$25	\$25	1,201.86	24,203
\$5 x 6	\$30	600.43	48,446
(\$2 (2X) x 5) + (\$5 x 2)	\$30	119.92	242,562
\$10 (2X) + \$10	\$30	239.90	121,252
(\$5 x 2) + \$20	\$30	601.81	48,335
\$30	\$30	1,201.22	24,216
(\$5 x 4) + (\$2 (2X) x 5)	\$40	601.54	48,357
(\$2 (2X) x 5) + (\$10 x 2)	\$40	400.20	72,685
(\$2 x 20) (WILD)	\$40	598.88	48,572
(\$10 x 2) + \$20	\$40	599.63	48,511
\$40	\$40	1,199.93	24,242
(\$2 x 10) + (\$5 x 4) + \$10	\$50	299.81	97,023
\$5 (2X) x 5	\$50	600.50	48,441
(\$2 (2X) x 5) + (\$10 x 2) + (\$5 x 2)	\$50	599.84	48,494
\$10 (2X) + (\$5 x 6)	\$50	1,200.67	24,227
\$50	\$50	1,199.09	24,259
(\$5 x 20) (WILD)	\$100	400.06	72,710

(\$2 x 10) + (\$10 x 6) + (\$5 x 4) (WILD)	\$100	599.82	48,496
\$10 (2X) x 5	\$100	1,200.18	24,237
\$5 (2X) + \$10 (2X) + \$20 (2X) + (\$5 x 2) + (\$10 x 2)	\$100	1,197.66	24,288
(\$5 x 10) + (\$10 x 5)	\$100	1,200.62	24,228
\$5 x 20	\$100	1,203.45	24,171
\$100	\$100	1,198.69	24,267
(\$10 x 10) + (\$5 x 10) (WILD)	\$150	4,005.60	7,262
\$5 (2X) x 15	\$150	7,960.77	3,654
(\$10 (2X) x 5) + (\$2 x 10) + \$5 (2X) + (\$5 x 4)	\$150	8,071.22	3,604
\$5 (2X) + \$10 (2X) + \$20 (2X) + \$30 (2X) + (\$10 x 2)	\$150	12,049.98	2,414
\$50 (2X) + (\$10 x 5)	\$150	12,035.03	2,417
(\$10 x 10) + (\$5 x 10)	\$150	8,011.20	3,631
\$150	\$150	23,862.72	1,219
(\$20 x 10) + (\$5 x 10) (WILD)	\$250	8,022.24	3,626
(\$5 x 7) + (\$25 x 3) + (\$10 x 5) + (\$20 x 4) + \$10 (WILD)	\$250	23,882.32	1,218
(\$20 (2X) x 5) + \$25 (2X)	\$250	24,099.97	1,207
(\$10 (2X) x 5) + \$20 (2X) + \$25 (2X) + \$30 (2X)	\$250	24,301.30	1,197
(\$20 x 10) + (\$5 x 10)	\$250	12,015.14	2,421
(\$10 x 15) + (\$20 x 5)	\$250	24,588.89	1,183
\$250	\$250	23,707.14	1,227
(\$20 x 10) + (\$30 x 10) (WILD)	\$500	1,081.36	26,900
(\$50 x 4) + (\$20 x 5) + (\$10 x 10) + \$100 (WILD)	\$500	1,498.64	19,410
\$20 (2X) + \$50 (2X) + \$100 (2X) + (\$20 x 4) + (\$10 x 8)	\$500	4,005.05	7,263
\$150 (2X) + (\$20 (2X) x 5)	\$500	3,972.23	7,323
\$150 + \$250 + (\$10 (2X) x 5)	\$500	5,973.03	4,870
(\$25 (2X) x 4) + (\$30 (2X) x 5)	\$500	6,021.25	4,831
\$50 x 10	\$500	6,005.09	4,844
(\$50 x 5) + (\$20 x 10) + (\$10 x 5)	\$500	6,012.54	4,838
\$500	\$500	12,020.11	2,420

(11) The overall odds of winning some prize in Game Number 5031 are 1 in 3.46. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 5031, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for Game Number 5031, \$500 WILD CASH BONANZA lottery tickets shall be made in accordance with the rule 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.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-7-22.

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: 4/7/2022

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:

53ER22-19 Game Number 7022, TRIPLE PLAY

SUMMARY OF THE RULE: This emergency rule describes Game Number 7022, "TRIPLE PLAY" 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, value and number 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 THIS EMERGENCY RULE IS:

53ER22-19 Game Number 7022, TRIPLE PLAY.

(1) Name of Game. Game Number 7022, TRIPLE PLAY.

(2) Game Number 7022, TRIPLE PLAY is a Scratch-Off lottery game (also known as an instant lottery game).

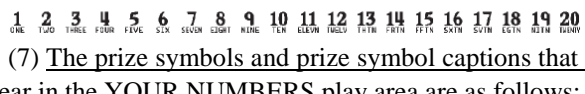
(3) Price. TRIPLE PLAY lottery tickets sell for \$2.00 per ticket.

(4) TRIPLE PLAY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning TRIPLE PLAY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, Payment of Prizes, F.A.C.

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:



(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are as follows:



(7) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:




(8) The legends are:

WINNING NUMBERS      YOUR NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a  play symbol and corresponding play symbol caption shall entitle the prizewinner to the prize shown. A ticket having three (3) like prize symbols and corresponding prize symbol captions shall entitle the prizewinner to that prize amount.

(b) A player may win up to five (5) times on a ticket.

(10) The odds of winning, value, and number of prizes in Game Number 7022 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 101.93 POOLS OF 180,000 TICKETS PER POOL
\$2(KNM)	\$2	6.06	3,027,532
\$5(KNM)	\$5	16.22	1,131,405
\$10(MATCH 3)	\$10	300.00	61,123
\$5x2(STAR)	\$10	300.00	61,214
\$10(STAR)	\$10	200.00	91,756
\$15(KNM)	\$15	600.00	30,564
\$5(STAR) + \$10(KNM)	\$15	600.00	30,559
\$15(STAR)	\$15	600.00	30,655
\$10(KNM) + \$5(KNM)	\$15	600.00	30,564
\$20(KNM)	\$20	600.00	30,542
\$5x2(STAR) + \$10(KNM)	\$20	300.00	61,106
\$10(STAR) + \$5x2(KNM)	\$20	600.00	30,559
\$20(STAR)	\$20	600.00	30,655
\$30(KNM)	\$30	2,432.43	7,572
\$5x2(KNM) + \$10x2(STAR)	\$30	2,250.00	8,146
\$5x2(KNM) + \$20(STAR)	\$30	2,769.23	6,649
\$50(KNM)	\$50	3,600.00	5,068
\$5x2(KNM) + \$20 x2(STAR)	\$50	2,400.00	7,648
\$10 x2(STAR) + \$30(KNM)	\$50	2,571.43	7,121
\$10x2(KNM) + \$30(STAR)	\$50	2,571.43	7,120
\$100(KNM)	\$100	7,200.00	2,548
\$50x2(STAR)	\$100	6,000.00	3,073
\$50(STAR)+\$50(KNM)	\$100	5,142.86	3,548
\$100(MATCH 3)	\$100	5,806.45	3,166
\$500(KNM)	\$500	8,571.43	2,133
\$500(STAR)	\$500	9,000.00	2,041
\$500(MATCH 3)	\$500	9,000.00	2,052
\$1000(KNM)	\$1,000	2,621,142.86	7
\$500x2(STAR)	\$1,000	3,058,000.00	6
\$15,000(KNM)	\$15,000	3,669,600.00	5
\$50,000(KNM)	\$50,000	3,058,000.00	6

(11) The overall odds of winning some prize in Game Number 7022 are 1 in 3,891. Prizes, including the top prizes,

are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 7022, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for Game Number 7022, TRIPLE PLAY lottery tickets shall be made in accordance with the rule 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.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-7-22.

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: 4/7/2022

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER22-20  
RULE TITLE: Game Number 7023, BIG OL' BENS  
SUMMARY OF THE RULE: This emergency rule describes Game Number 7023, "BIG OL' BENS" 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, value and number 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:

53ER22-20 Game Number 7023, BIG OL' BENS.

(1) Name of Game. Game Number 7023, BIG OL' BENS.  
(2) Game Number 7023, BIG OL' BENS is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. BIG OL' BENS lottery tickets sell for \$5.00 per ticket.

(4) BIG OL' BENS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BIG OL' BENS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, Payment of Prizes, F.A.C.



(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTY ONE	TWENTY TWO	TWENTY THREE
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	
FOURTYFOUR	FOURTYFIVE	FOURTYSIX	FOURTYSEVEN	FOURTYEIGHT	FOURTYNINE	FIFTY	FIFTYONE	FIFTYTWO	FIFTYTHREE	FIFTYFOUR	FIFTYFIVE	FIFTYSIX	FIFTYSEVEN	FIFTYEIGHT	FIFTYNINE	SIXTY	SIXTYONE	SIXTYTWO	SIXTYTHREE	SIXTYFOUR	SIXTYFIVE	SIXTYSIX
46	47	48	49																			
FOURTYSIX	FOURTYSEVEN	FOURTYEIGHT	FOURTYNINE																			



(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are as follows:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY	TWENTY ONE	TWENTY TWO	TWENTY THREE
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	
FOURTYFOUR	FOURTYFIVE	FOURTYSIX	FOURTYSEVEN	FOURTYEIGHT	FOURTYNINE	FIFTY	FIFTYONE	FIFTYTWO	FIFTYTHREE	FIFTYFOUR	FIFTYFIVE	FIFTYSIX	FIFTYSEVEN	FIFTYEIGHT	FIFTYNINE	SIXTY	SIXTYONE	SIXTYTWO	SIXTYTHREE	SIXTYFOUR	SIXTYFIVE	SIXTYSIX
46	47	48	49																			
FOURTYSIX	FOURTYSEVEN	FOURTYEIGHT	FOURTYNINE																			

(7) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:

\$5.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00	\$40.00	\$50.00	\$100	\$200	\$500
FIVE	TEN	FIFTEEN	TWENTY	THIRTY	FORTY	FIFTY	FIFTY	ONE HUND	TWO HUN	FIVE HUN
\$1,000	\$5,000	\$10,000	\$500,000							
ONE THOU	FIVE THOU	TEN THOU	FIVE HUNDRED THOU							

(8) The legends are:

WINNING NUMBERS	YOUR NUMBERS
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(9) Determination of Prizewinners.

(a) There are two (2) games on each ticket: GAME 1 and GAME 2. Each GAME is played separately. Play symbols and corresponding play symbol captions from GAME 1 cannot be applied to GAME 2. Play symbols and corresponding play symbol captions from GAME 2 cannot be applied to GAME 1.

(b) For each GAME (played separately), a ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the prize

shown. A ticket having a play symbol and corresponding play symbol caption shall entitle the prizewinner to the prize

shown. A ticket having a play symbol and corresponding play symbol caption shall entitle the prizewinner to five (5)

times the prize shown. A ticket having a play symbol and corresponding play symbol caption shall entitle the prizewinner

to a \$100 cash prize. A ticket having a play symbol and corresponding play symbol caption shall entitle the prizewinner to all twelve (12) prizes shown.

(c) A player may win up to twenty-four (24) times on a ticket.

(10) The odds of winning, value, and number of prizes in Game Number 7023 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 79.53 POOLS OF 240,000 TICKETS PER POOL
\$5	\$5	12.00	1,590,724
\$5x2	\$1 0	17.14	1,113,521
\$10	\$1 0	40.00	477,119

\$5 + \$10	\$1 5	60.00	318,113
\$5x3	\$1 5	80.00	238,622
\$15	\$1 5	120.0 0	159,006
\$5x4	\$2 0	240.0 0	79,540
\$10x2	\$2 0	120.0 0	159,047
\$5 + \$15	\$2 0	120.0 0	159,006
\$20	\$2 0	120.0 0	159,115
\$5x2 + \$15	\$2 5	600.0 0	31,834
\$5 + \$10x2	\$2 5	600.0 0	31,786
\$5x3 + \$10	\$2 5	600.0 0	31,875
\$5 (5X)	\$2 5	457.1 4	41,772
\$25	\$2 5	774.1 9	24,697
\$5x2 + \$10x2	\$3 0	800.0 0	23,820
\$20 + \$10	\$3 0	727.2 7	26,185
\$5 + \$5 (5X)	\$3 0	750.0 0	25,499
\$5 + \$25	\$3 0	676.0 6	28,230
\$30	\$3 0	716.4 2	26,579
\$5x2 + \$10x3	\$4 0	3,200 .00	5,970
\$5x8	\$4 0	3,200 .00	5,962
\$10 + \$30	\$4 0	3,200 .00	5,956
\$5 (5X) + \$15	\$4 0	3,200 .00	5,967
\$5 + \$10x2 + \$15	\$4 0	3,200 .00	5,963
\$40	\$4 0	3,000 .00	6,385
\$25x2	\$5 0	2,400 .00	7,943
\$5x4 + \$30	\$5 0	1,600 .00	11,923
\$30 + \$20	\$5 0	1,600 .00	11,915
\$10 + \$15 + \$5 (5X)	\$5 0	727.2 7	26,209
\$10 (5X)	\$5 0	2,666 .67	7,135
\$50	\$5 0	2,400 .00	7,958
\$5x20	\$1 00	5,333 .33	3,586
\$5x10 + \$10x5	\$1 00	4,800 .00	3,962
\$10 (5X) + \$25 + \$5x3 + \$10	\$1 00	4,800 .00	3,991
Win-All= \$5x4 + \$10x8	\$1 00	8,000 .00	2,393
\$20x5	\$1 00	6,000 .00	3,200
\$5x5 + \$10x4 + \$15 + \$20	\$1 00	6,000 .00	3,171
\$50 + \$25x2	\$1 00	6,000 .00	3,168
\$10x5 + \$50	\$1 00	12.00 0.00	1,583
\$5x3 + \$10x3 + \$25 + \$30	\$1 00	12.00 0.00	1,601
\$100	\$1 00	5,333 .33	3,566

Win-All = \$10x10 + \$50x2	\$2 00	8,000 .00	2,414
\$40 (5X)	\$2 00	8,000 .00	2,368
\$10x4 + \$15 + \$25 + \$30 + \$40 + \$10 (5X)	\$2 00	12,00 0.00	1,603
\$200	\$2 00	24,00 0.00	793
\$5x8 + \$10 + \$15x2 + \$20 + \$25x8 + \$50x4	\$5 00	34,28 5.71	573
\$100 (5X)	\$5 00	34,28 5.71	558
\$500	\$5 00	34,28 5.71	555
\$500x2	\$1. 00 0	2,120 .806. 67	2
\$200 (5X)	\$1. 00 0	2,726 .751. 43	7
Win-All Both Games = \$5x8 + \$10 + \$15x2 + \$20 + \$25x2 + \$50x3 + \$100x7	\$1. 00 0	2,385 .907. 50	8
\$1,000	\$1. 00 0	2,726 .751. 43	7
\$5,000	\$5. 00 0	2,120 .806. 67	2
\$5,000x2	\$1 0.0 00	6,362 .420. 00	3
\$10,000	\$1 0.0 00	6,362 .420. 00	3
\$500,000	\$5 00. 00 0	3,181 .210. 00	6

(11) The overall odds of winning some prize in Game Number 7023 are 1 in 3.90. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 7023, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for Game Number 7023, BIG OL' BENS lottery tickets shall be made in accordance with the rule 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. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-7-22.

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: 4/7/2022

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

NONE

Section VI  
Notice of Meetings, Workshops and Public  
Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

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

PLACE: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YjgxNmU5MmMtMTM2NS00OTVvKlWJmZDQtY2RmMjcyZWU1OGNi%40thread.v2/0?context=%7b%22tid%22%3a%2262557d98-bd11-4a88-8a7b-57bc3df0190b%22%2c%22oid%22%3a%22d4f256e3-2322-4c0a-9d11-7a230db27c3c%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjgxNmU5MmMtMTM2NS00OTVvKlWJmZDQtY2RmMjcyZWU1OGNi%40thread.v2/0?context=%7b%22tid%22%3a%2262557d98-bd11-4a88-8a7b-57bc3df0190b%22%2c%22oid%22%3a%22d4f256e3-2322-4c0a-9d11-7a230db27c3c%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings (Research, Legislative, Industry and Promotion). Research and promotion grant recommendations. Viticulture Trust Fund collection report. Committee reports. A copy of the agenda may be obtained by contacting: Emily Hetherington at (850)617-7291.

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: Emily Hetherington at (850)617-7291. 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: Emily Hetherington at (850)617-7291.

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a hearing to which all persons are invited.

**DATES AND TIMES:** A Teacher Hearing Panel will begin at 8:30 a.m. or as soon thereafter as can be heard on April 21, 2022.

A Teacher Hearing Panel will begin at 10:30 a.m. or as soon thereafter as can be heard on April 21, 2022.

A Teacher Hearing Panel will begin at 1:30 p.m. or as soon thereafter as can be heard on April 21, 2022.

An All Member Training is being conducted immediately following the Teacher Hearing Panels on April 21, 2022.

A Teacher Hearing Panel will begin at 8:30 a.m. or as soon thereafter as can be heard on April 22, 2022.

**PLACE:** Embassy Suites Tampa Airport Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, 1(813)875-1555  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The All Member Training is being held to train members of the Commission.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850)245-0455.

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: Lisa Forbess at (850)245-0455. 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: Lisa Forbess at (850)245-0455.

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#### REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

**DATE AND TIME:** Thursday, April 21, 2022, 9:00 a.m.

**PLACE:** The South Florida Water Management District Office: 2301 McGregor Blvd., Ft. Myers, Florida 33901 and via Zoom Virtual Meeting

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Monthly meeting of the Southwest Florida Regional Planning Council, 9:00 a.m.

A copy of the agenda may be obtained by contacting: Rebekah Harp, rharp@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebekah Harp, rharp@swfrpc.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).

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: Rebekah Harp, rharp@swfrpc.org.

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#### REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

**DATE AND TIME:** Thursday, April 21, 2022, 9:05 a.m.

**PLACE:** The South Florida Water Management District Office: 2301 McGregor Blvd., Ft. Myers, Florida 33901 and via Zoom Meeting

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the SWFRPC's Executive Committee

A copy of the agenda may be obtained by contacting: Rebekah Harp, rharp@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebekah Harp, rharp@swfrpc.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).

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: Rebekah Harp, rharp@swfrpc.org.

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#### METROPOLITAN PLANNING ORGANIZATIONS

Broward Metropolitan Planning Organization

The Broward Metropolitan Planning Organization announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 9, 2022, 2:00 p.m.

**PLACE:** Board Room of the Broward MPO, Trade Centre South, 100 W. Cypress Creek Road, 6th Floor, Fort Lauderdale, FL 33309-2181. Virtual meeting optional via Zoom with registration required at <https://bit.ly/3snWS49>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a public meeting of the Transportation Disadvantaged Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained at the Broward MPO website at <https://www.browardmpo.org/agendas-minutes>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: (954)876-0055. 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: Charlene Burke at (954)876-0055 or [burkec@browardmpo.org](mailto:burkec@browardmpo.org).

**DEPARTMENT OF HEALTH**

Board of Chiropractic Medicine

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

DATE AND TIME: April 26, 2022, 2:00 p.m.

PLACE: 1(888)585-9008, 136-103-141#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel.

A copy of the agenda may be obtained by contacting: <https://floridaschiropracticmedicine.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: . 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: [MQA.Chiropractic@flhealth.gov](mailto:MQA.Chiropractic@flhealth.gov).

**DEPARTMENT OF HEALTH**

Division of Family Health Services

The Florida Coordinating Council for the Deaf and Hard of Hearing announces a workshop to which all persons are invited.

DATE AND TIME: April 14, 2022, 3:00 p.m.

PLACE: Microsoft Teams meeting at the following link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NjNhZTBiZGYtY2FhYy00MjA5LWExZDUtNjdhZjdmZmU0MmFk%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22a24428d6-928f-4608-8f37-882c7081216f%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjNhZTBiZGYtY2FhYy00MjA5LWExZDUtNjdhZjdmZmU0MmFk%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22a24428d6-928f-4608-8f37-882c7081216f%22%7d) or Conference Call in at 1(888)585-9008, Conference Room Code: 828-532-954.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Coordinating Council for the Deaf and Hard of Hearing will serve as an advisory and coordinating body to recommend policies that address the needs of Florida's community who are deaf, hard of hearing, late deafened, or have combined hearing and vision loss. The purpose of the meeting is to provide committee updates, deliver presentations by community experts and provide a public forum.

If any person decides to appeal any decision made by the council 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: NA

A copy of the agenda may be obtained by contacting: Sean Isaac at (850)245-4333.

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 72 hours before the workshop/meeting by contacting: Sean Isaac at (850)245-4333. 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: Sean Isaac at (850)245-4333.

**DEPARTMENT OF HEALTH**

Division of Family Health Services

The Florida Department of Health, Division of Community Health Promotion announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 14, 2022, 12:00 Noon – 1:30 p.m. ET

PLACE: Microsoft Teams Meeting Link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YmY3NGRjNktMjliNi00MDU1LWlW4NjYtNWQ2N2E1YWExY2Q4%40thread.v2/0?context=%7b](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmY3NGRjNktMjliNi00MDU1LWlW4NjYtNWQ2N2E1YWExY2Q4%40thread.v2/0?context=%7b)

%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%2265e7bdb9-12ac-435b-b2d7-01a442fc990f%22%7d or call in (audio only): (850)792-1375, Phone Conference ID: 952 379 636#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Health, Division of Community Health Promotion is conducting the Rare Disease Advisory Council meeting. The Council was created in Section 381.99, Florida Statutes, for the purpose of providing recommendations to improve health outcomes for individuals residing in Florida who have a rare disease.

A copy of the agenda may be obtained by contacting: Kelly Rogers at Kelly.Rogers@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kelly Rogers at Kelly.Rogers@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).

For more information, you may contact: Kelly Rogers at Kelly.Rogers@flhealth.gov.

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#### DEPARTMENT OF HEALTH

Office of Statewide Research

The Florida Department of Health announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** April 20, 2022, 1:30 p.m.

**PLACE:** Microsoft Teams

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: IRB@flhealth.gov.

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

For more information, you may contact: IRB@flhealth.gov.

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#### DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Commission on Mental Health and Substance Abuse announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 20, 2022, 9:00 a.m. – 1:00 p.m.

**PLACE:** Join on your computer or mobile MS Teams app at: [https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F\\_%23%2F1%2Fmeetup-join%2F19%3Ameeting\\_NzQ1Mjg4ZjItOTkxNS00NzFmLW](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_NzQ1Mjg4ZjItOTkxNS00NzFmLW)

[E1NTctOWY4NTFmZDc1Njhi%40thread.v2%2F0%3Fcontent%3D%257b%2522Tid%2522%253a%2522f70dba48-b283-4c57-8831-](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_NzQ1Mjg4ZjItOTkxNS00NzFmLW)

[cb411445a94c%2522%252c%2522Oid%2522%253a%2522a5584087-04a8-4f49-9d1e-](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_NzQ1Mjg4ZjItOTkxNS00NzFmLW)

[aa3f61976fa6%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=506f89cd-043b-476e-b23b-](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_NzQ1Mjg4ZjItOTkxNS00NzFmLW)

[e824e0b230f0&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_NzQ1Mjg4ZjItOTkxNS00NzFmLW)

Call-in (audio only) (850)666-4692, Phone Conference ID: 700 179 238#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting is in accordance with Senate Bill 96 for the members of the Commission on Mental Health and Substance Abuse. The Commission is comprised of individuals appointed by the Governor, President of the Senate, and Speaker of the House. Discussion topics will include the current status of Florida's behavioral health system of care and opportunities to further examine the current methods of providing mental health and substance use services in the state. Specifically, the group will confer on ways to better improve the effectiveness of current practices, procedures, and programs, in providing such services; identify any barriers or deficiencies in the delivery of such services; and recommend changes to existing laws, rules and policies.

A copy of the agenda may be obtained by contacting: The agenda and meeting materials will be forth coming. For information on the Commission please visit the Commission website: <https://www.myflfamilies.com/service-programs/samh/commission/index.shtml>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pat Smith at pat.smith@myflfamilies.com, (850)320-4556. 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: Pat Smith at pat.smith@myflfamilies.com, (850)320-4556.

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#### FLORIDA HOUSING FINANCE CORPORATION

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

**DATE AND TIME:** April 20, 2022, 2:00 p.m. Eastern Time

**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301

The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following website: <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-103>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will held be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s RFA 2022-103 Housing Credit and SAIL Financing to Develop Housing for Homeless Persons. A copy of the agenda may be obtained by contacting: Rita Guzman at [rita.guzman@floridahousing.org](mailto:rita.guzman@floridahousing.org) or (850)488-4197. 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: Rita Guzman, (850)488-4197. 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).

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** April 19, 2022, 10:00 a.m. Eastern Time  
**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301

The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following website: <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-106>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will held be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s RFA 2022-106 Financing to Develop Housing for Persons with Disabling Conditions / Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Rita Guzman at [rita.guzman@floridahousing.org](mailto:rita.guzman@floridahousing.org) or (850)488-4197. 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: Rita Guzman, (850)488-4197. 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).

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** April 19, 2022, 2:00 p.m. Eastern Time  
**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301

The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following website: <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-208>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will held be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s RFA 2022-208 SAIL Financing for The Construction of Workforce Housing in Monroe County.

A copy of the agenda may be obtained by contacting: Rita Guzman at [rita.guzman@floridahousing.org](mailto:rita.guzman@floridahousing.org) or (850)488-4197. 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: Rita Guzman, (850)488-4197. 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).

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** April 20, 2022, 10:00 a.m. Eastern Time  
**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301

The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following website: <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-102>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will held be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s RFA 2022-102 SAIL Financing for Smaller Permanent Supportive Housing Developments for Persons with Special Needs.

A copy of the agenda may be obtained by contacting: Rita Guzman at [rita.guzman@floridahousing.org](mailto:rita.guzman@floridahousing.org) or (850)488-4197 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: Rita Guzman, (850)488-4197. 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 FINANCIAL SERVICES  
The Department of Financial Services announces a public meeting to which all persons are invited.  
DATE AND TIME: Tuesday, April 12, 2022, 2:00 p.m. – 4:00 p.m. Eastern Time  
PLACE: Department of Children and Families  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
UPDATE: The Florida PALM Executive Steering Committee meeting has been canceled.  
A copy of the agenda may be obtained by contacting: NA

DEPARTMENT OF FINANCIAL SERVICES  
The Department of Financial Services announces a public meeting to which all persons are invited.  
DATE AND TIME: Thursday, April 14, 2022, 2:00 p.m. – 4:00 p.m. Eastern Time  
PLACE: Department of Children and Families  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
UPDATE: The Florida PALM Executive Steering Committee meeting has been canceled.  
A copy of the agenda may be obtained by contacting: NA

MOFFITT CANCER CENTER & RESEARCH INSTITUTE  
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a telephone conference call to which all persons are invited.  
DATE AND TIME: Wednesday, April 13, 2022, 9:30 a.m.  
PLACE: Meeting URL:  
<https://moffitt.zoom.us/j/98277248344>, Dial: (646)876-9923,  
Meeting ID: 982 7724 8344  
GENERAL SUBJECT MATTER TO BE CONSIDERED: A CCRAB Leadership Team Meeting  
Purpose: to discuss CCRAB business  
A copy of the agenda may be obtained by contacting: [Bobbie.McKee@Moffitt.org](mailto:Bobbie.McKee@Moffitt.org)  
For more information, you may contact: [Bobbie.McKee@Moffitt.org](mailto:Bobbie.McKee@Moffitt.org).

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

DEPARTMENT OF FINANCIAL SERVICES  
FSC - Financial Institution Regulation

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Chicago Title Land Trust Company. The petition seeks the agency's opinion as to the applicability of Chapter 658, Florida Statutes, as it applies to the petitioner.

On 4/6/2022, the Florida Office of Financial Regulation (Financial Institutions) received a Petition for Declaratory Statement from Chicago Title Land Trust Company. The petition seeks a declaratory statement from the Office on whether Petitioner may own and operate a land trust services company which operates pursuant to Chapter 689.071, Florida Statutes, the Florida Land Trust Act without owning, becoming or utilizing the services of a Florida licensed trust company, pursuant to Chapter 655, Florida Statutes. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).  
Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

**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**

GAINESVILLE-ALACHUA COUNTY REGIONAL  
 AIRPORT AUTHORITY

REQUEST FOR BIDS # 22-001

GAINESVILLE REGIONAL AIRPORT  
 TAXIWAY A EXTENSION, RECONFIGURATION &  
 REHABILITATION

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the "Taxiway A Extension, Reconfiguration & Rehabilitation" project. The work shall include pavement and drainage demolition, erosion control measures, asphalt milling, asphalt overlay, new pavement section construction, airfield markings, airfield lighting and signage, earthwork, grading, sodding, new drainage pipe and structure installation, scour and erosion repairs to a large aluminum arch culvert.

Complete sets of bid documents will be available beginning at noon on Wednesday April 13, 2022 at the office of:

AECOM

7650 W. Courtney Campbell Cswy, Tampa, Florida 33607,  
 1(813)636-2139

Attn: Diane Kline, diane.kline@aecom.com

There will be no charge to obtain a set of the bid documents. Printed copies of documents will not be made available. PDF project plans and specification files, either on CD or sent via File Transfer will be made available.

A non-mandatory Pre-Bid conference will be held on Wednesday, April 20, 2022, 10:00 a.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N.E. 39th Avenue, Gainesville, Florida 32609. Attendance by all prospective bidders is recommended since the project occurs in a secured part of the airport and a security escort is required. An escorted site visit of the project areas will be conducted as part of the pre-bid conference. Additional site visits will be arranged after the pre-bid meeting.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked:

"Project No. 22-001 Taxiway A Extension, Reconfiguration & Rehabilitation" and mailed or delivered to the Authority's

Administrative Office, Gainesville Regional Airport, Attn: Chief Executive Officer, 3880 N.E. 39th Avenue, Suite A, Gainesville, Florida 32609.

Bids are due at 2:00 p.m. Tuesday, May 17, 2022 and will be publicly opened at this time. The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m., Tuesday, May 17, 2022 will not be considered.

Disadvantaged Business Enterprise (DBE) firms are encouraged to participate. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact Bill Prange, AECOM at (386)898-2298 or bill.prange@aecom.com.

GAINESVILLE-ALACHUA COUNTY REGIONAL  
 AIRPORT AUTHORITY

REQUEST FOR BIDS # 22-002

GAINESVILLE REGIONAL AIRPORT  
 GENERAL AVIATION APRON REHABILITATION

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the "General Aviation Apron Rehabilitation" project. The project includes the reconstruction of approximately 50,500 square yards of asphalt pavement, the mill and overlay of 28,300 square yards of asphalt pavement, the construction of approximately 2,000 square yards of concrete pavement. Other work items include erosion control measures, installation of drainage pipe and structures, pavement markings, and aircraft tie-downs.

Complete sets of the bid documents including instructions to bidders, bid forms, drawings and specifications will be available via email beginning at 12:00 Noon., April 13, 2022. Bid documents will be provided in PDF format. The bid documents will not be provided in any other format, plan holders can order hard copy prints from the printing company of their choice. Bid documents may be obtained from: Tom Schilling, P.E., Geneva Toon, Michael Baker International 12740 Gran Parkway, Suite 2110, Jacksonville, Florida 32258, Email: Thomas.Schilling@mbakerintl.com, Geneva.Toon@mbakerintl.com, Phone: (904)380-2526.

A NON-MANDATORY pre-bid conference will be held on Wednesday, April 20, 2022, 11:00 a.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N.E. 39th Avenue, Gainesville, Florida 32609. A site visit of the project area will be conducted as part of the pre-bid conference.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked: "Project No. 22-002 General Aviation Apron Rehabilitation" and mailed or delivered to the Authority's Administrative Office, Gainesville



Regional Airport, Attn: Chief Executive Officer, 3880 N.E. 39th Avenue, Suite A, Gainesville, Florida 32609.

Bids are due at 2:00 p.m. Tuesday, May 17, 2022 and will be publicly opened at that time. The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m., Tuesday, May 17, 2022 will not be considered. Bidder must submit one original bid package, clearly marked "Original" and three copies.

Disadvantaged Business Enterprise (DBE) firms are encouraged to participate. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact Tom Schilling at Michael Baker International, (904)380-2526. thomas.schilling@mbakerintl.com.

**Section XII  
Miscellaneous**

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., Friday, April 1, 2022 and 3:00 p.m., Thursday, April 7, 2022.

Rule No.	File Date	Effective Date
12ER21-17	4/1/2022	4/1/2022
12ER21-18	4/1/2022	4/1/2022
12ER21-19	4/1/2022	4/1/2022
12ER21-20	4/1/2022	4/1/2022
53ER22-16	4/7/2022	4/11/2022
53ER22-17	4/7/2022	4/7/2022
53ER22-18	4/7/2022	4/7/2022
53ER22-19	4/7/2022	4/7/2022
53ER22-20	4/7/2022	4/7/2022
61H1-30.010	4/6/2022	4/26/2022
61H1-30.020	4/6/2022	4/26/2022
61H1-30.030	4/6/2022	4/26/2022
61H1-40.040	4/6/2022	4/26/2022

61H1-50.050	4/6/2022	4/26/2022
68D-24.0041	4/6/2022	4/26/2022
69A-52.003	4/6/2022	4/26/2022
69A-52.004	4/6/2022	4/26/2022
69A-60.003	4/6/2022	4/26/2022
69A-60.004	4/6/2022	4/26/2022

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

Rule No.	File Date	Effective Date
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	**/**/****
60P2.002	11/5/2019	**/**/****
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	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners  
Pilotage Rate Review Committee (PRRC)

The Board of Pilot Commissioners announces an amended petition filed by the Canaveral Pilots Association (Pilots), dated March 8, 2022, and an alternative petition by the Florida-Caribbean Cruise Association (FCCA), dated January 17, 2020, for a change in the rates of pilotage charged by the licensed state pilots and certified deputy pilots at Port Canaveral have been filed with the Pilotage Rate Review Committee, pursuant to Section 310.151, Florida Statutes, and Rule Chapter 61G14-22, Florida Administrative Code.

The last rate change granted for Port Canaveral was September 21, 1991. The PRRC intends to consider the following requested rate changes for Port Canaveral.

PILOTS' AMENDED PETITION: The Pilots' amended petition requests the following changes:

The base formula for calculating pilotage rates per vessel handle shall be modified as follows:

From:  $(\$12.50 * \text{Draft}) + (\$0.028 * \text{GRT})$

To:  $((\text{LOA Rate} * \text{LOA}) + (\text{Beam Rate} * \text{Beam}) + (\text{Draft Rate} * \text{Draft}) + (\text{GRT Rate} * \text{GRT})) + \text{Docking/Undocking Fee} + \text{Pilot Boat Fee}$

The initial base rate in dollars per foot/GRT/fix fee shall be:

Standard Rate	Less than 10,000 GRT	Draft
deeper than 32.0 feet		

LOA Rate:	1.00
0.75	1.00
Beam Rate:	5.00
3.75	5.00
Draft Rate:	30.00
22.50	35.00
GRT Rate:	0.0125
0.0100	0.0125
Docking/Undocking Fee:	300.00
200.00	300.00
Pilot Boat Fee:	50.00
50.00	50.00

Minimum Pilotage: The following minimum charges will apply:

LOA: 100 feet    Beam: 30 feet  
 Draft: 18 feet    GRT: 5000 GRT

The Docking/Undocking Fee is charged when the pilot performs the docking or undocking.

The Pilot Boat Fee shall be dedicated to a Pilot Boat Capital Fund, which will be used exclusively for pilot boat capital expenditures.

The LOA Fee is determined using the maximum length overall, rounded up to the foot. The length overall for conventional tug and barge combinations, whether towing astern, alongside, or pushing ahead, shall be the combined length overall of the tug and barge. The length overall for articulated tug barge and integrated tug barge combinations shall be the length overall of the combined unit when the tug is secured in its designated pushing position.

The Beam Fee is determined using the maximum waterline beam, rounded up to the foot. The beam for tug and barge combinations, whether conventional combinations or articulated tug barge/integrated tug barge combinations, shall be the maximum waterline beam of the widest vessel contained in the unit.

The Draft Fee is determined by using the deepest draft, rounded up to the tenth of a foot.

The GRT Fee is determined by using the ITC Gross Registered Tonnage figure.

Additional Fees shall be:

Detention of Pilot: An additional 25% of total pilotage fee per hour after the first half hour. A delay in departure caused by a medical emergency will not be considered a detention. A delay in arrival, departure, or shift caused by weather conditions inside Port Canaveral and/or the area offshore of Port Canaveral out to and including the pilot boarding area will not be considered a detention.

Cancellation of Pilot: 25% of total pilotage fee. Cancellation fee will be assessed for vessels on which the pilot boarding is canceled with less notice than the current pilot call out time.

Shifting fee within the harbor: 75% of total LOA/Beam/Draft/GRT fee, plus applicable Docking/Undocking and Pilot Boat Fees.

Dead Ship Movement: 150% of total pilotage fee. A dead ship movement is defined as the movement of any vessel equipped with motive power and/or steering capability when such motive power and/or steering capability is or becomes unavailable, for any reason, during any part of the vessel's transit.

Late Payment Charge: 3% of total pilotage fee per month after 30 days from the date of invoice submission.

Board Governance Fee: 0% to a maximum of 1.5% (as determined by the Florida Board of Pilot Commissioners) of total pilotage fee.

The draft rate for vessels with a draft of 32 feet 0 inches or deeper shall increase by 6.0% each year for 9 consecutive years starting on the anniversary date one year following the effective date of this rate.

All other rates and fees shall increase by 3.25% per year for a period of 9 years starting on the anniversary date one year following the effective date of this rate.

FCCA ALTERNATE PETITION:

The FCCA petition requests the following changes:

1. The base formula for calculating pilotage rates shall be modified

From:  $(\$12.50 * \text{Draft}) + (\$0.028 * \text{GT})$

To:  $((\text{LOA Rate} * \text{LOA}) + (\text{Beam Rate} * \text{Beam}) + (\text{Draft Rate} * \text{Draft}) + (\text{GT Rate} * \text{GT}))$

2. The initial base rate in dollars per foot shall be:

Standard Rate	Vessels less than 10,000 GT
	Vessels with drafts deeper than 32.0 feet

LOA Rate:	0.90	0.75
	0.90	
Beam Rate:	4.00	3.75
	4.00	
Draft Rate:	30.00	22.50
	35.00	
GT Rate:	0.0100	0.0100
	0.0100	

Minimum Pilotage: The following minimum charges will apply:

LOA: 100 feet      Beam: 30 feet  
 Draft: 18 feet      GT: 5000 GT

The Beam Rate is determined using the waterline beam.  
 The Draft Rate is determined by using the deepest draft.  
 The GT Rate is determined by using the ITC Gross Registered Tonnage figure.

All rates, except the GT rate, are calculated to the nearest cent.  
 The GT Rate is calculated to the nearest 1/100th of a cent.

3. Additional Fees and Discounts shall be:  
 Detention of Pilot: 25% of pilotage fee per hour after the first half hour. In no case may a delay in departure caused by a medical emergency or force majeure be considered a detention.  
 Cancellation of Pilot: 25% of pilotage fee.  
 Shifting fee within the harbor: 75% of pilotage fee.  
 Late Payment Charge: 3% per month after 30 days from the date of invoice submission.  
 Board Governance Fee: 0% to a maximum of 1.5% as determined by the Florida Board of Pilot Commissioners.  
 GT Discount: In year one only, all ships with a GT of over 100,000 shall be granted an additional 5% discount on all standard rates.

4. The draft rate for vessels with a draft of 32 feet 0 inches or deeper shall increase by 6.0% each year for 9 consecutive years starting on the anniversary date one year following the effective date of this rate.  
 All other rates shall increase by 2.5% per year for a period of 3 years followed by 2.0% per year for 6 years starting on the anniversary date one year following the effective date of this rate.

ALL INTERESTED PARTIES should file an answer, an additional or alternative application, or any other applicable pleading or response, including all documentation, by May 5, 2022.

DATE, TIME, LOCATION OF SITE VISIT: The PRRC's site visit to Port Canaveral will occur on Thursday, June 16, 2022, 4:00 p.m. ET, 9060 Herring Street, Cape Canaveral, FL 32920.

DATE, TIME, LOCATION OF RATE HEARING: The Rate Hearing will begin on Friday, June 17, 2022, 9:00 a.m. EST, at the Homewood Suites by Hilton Cape Canaveral-Cocoa Beach, 900 Astronaut Blvd., Cape Canaveral, FL 32920.

A copy of the Pilots' Amended Petition, the FCCA Petition, as well as the report of the Investigative Committee (when it becomes available) may be obtained by contacting: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982 and can be found at [www.myfloridalicense.com/DBPR/harbor-pilots/pilotage-rate-review/](http://www.myfloridalicense.com/DBPR/harbor-pilots/pilotage-rate-review/).

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 Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Division of Water Restoration Assistance  
 Clean Water State Revolving Fund  
 NOTICE OF AVAILABILITY  
 FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
 Town of Century, Florida

The Florida Department of Environmental Protection (DEP) has determined that the Town of Century's project to replace two (2) wastewater lift stations is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$300,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the FLORIDA FINDING OF NO SIGNIFICANT IMPACT can be obtained by writing to: Eric V. Meyers, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2969 or emailing to [Eric.V.Meyers@FloridaDEP.gov](mailto:Eric.V.Meyers@FloridaDEP.gov).

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.