

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

### DEPARTMENT OF HEALTH

#### Board of Medicine

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

PURPOSE AND EFFECT: The proposed rule amendment is intended to substantially update an application.

SUBJECT AREA TO BE ADDRESSED: To substantially update an application.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Medicine Electrolysis Council, 4052 Bald Cypress Way, Bin # A04, Tallahassee, Florida 32399-3253.

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

## Section II Proposed Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Agricultural Water Policy

RULE NOS.: RULE TITLES:  
5M-1.001 Definitions  
5M-1.008 Implementation Verification  
5M-1.009 Best Management Practices Implementation Assistance

PURPOSE AND EFFECT: This rulemaking will implement the amendments to the Department’s statutory authority and responsibilities as provided in Chapter 2020-150, Laws of Florida (SB 712) by revising the implementation verification process and adopting a nutrient application record form. The rulemaking also updates definitions, the Notice of Intent to Implement Best Management Practices (BMP) form, and

clarifies the best management practices implementation assistance rule.

SUMMARY: This rulemaking will address Agricultural Best Management Practices implementation assistance and verification.

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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department found that the proposed revisions require landowners and producers who have voluntarily enrolled in the Department’s BMP program to collect and retain data pertaining to the application of nitrogen and phosphorus fertilizer using a standardized nutrient application record form. This form aggregates a subset of records that are already required under the Department’s BMP program, thus the cost to producers to undertake this requirement is negligible. Additionally, no interested party has submitted additional information regarding the economic impact.

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: 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23), F.S.

LAW IMPLEMENTED: 403.067(7)(d)2.c., F.S.

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

DATE AND TIME: February 1, 2021 from 1:30 p.m. to 4:00 p.m.

PLACE: Go-To-Webinar: If the hearing is held, please register at the following link <https://register.gotowebinar.com/register/4857300835507345679>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Bartnick, Office of Agricultural Water Policy, (850) 617-1705 / [Bill.Bartnick@FDACS.gov](mailto:Bill.Bartnick@FDACS.gov)

## THE FULL TEXT OF THE PROPOSED RULE IS:

## 5M-1.001 Definitions.

(1) “Applicable Best Management Practices” or “Applicable BMPs” means best management practices that have been adopted by Department rule and have been identified for implementation on an Enrolled parcel, in an Enrolled Producer’s or Landowner’s current Notice of Intent.

(2) “Basin Management Action Plan” or “BMAP” means a plan adopted by the Florida Department of Environmental Protection pursuant to Section 403.067(7)(a), F.S.

(3) through (4) No change.

(5) “Enrolled” means the status of a Producer or Landowner who has an active ~~completed~~ a Notice of Intent for implementation of the Applicable BMPs best management practices on specified parcels identified during a site visit with Department representatives, or who qualifies as a Temporarily Inactive Operation for the purposes of Rule 5M-1.010, F.A.C. If the Producer is not the Landowner, the Department will notify the Landowner of the date of enrollment and Applicable BMPs that are required to be properly implemented on the subject parcel(s).

(6) No change.

(7) “Notice of Intent” or “NOI” means a form provided by the Department to be submitted by an agricultural Producer or Landowner to indicate intent to enroll in and properly implement the Department’s program of best management practices in accordance with the manual under which they enroll. A Notice of Intent to Implement Best Management Practices form (FDACS-04002, XX/XX), hereby incorporated by reference, shall be submitted for all new enrollments to the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida 32399. The NOI may be obtained from FDACS or accessed online at <http://www.flrules.org/Gateway/>. Submittal of an NOI shall not result in enrollment until such time as a site visit is completed by the Producer and Department representatives to identify the Applicable BMPs to be implemented on the subject parcel. A Producer or Landowner that has submitted an NOI but has not undertaken the required site visit will not be reported as unenrolled to the Florida Department of Environmental Protection unless they fail to undertake the required site visit within 60 days after notification by the Department of scheduling availability.

(8) No change.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(d)2.c. FS. History—New 11-1-17, Amended.

## 5M-1.008 Implementation Verification.

(1) Agricultural Best Management Practices (BMPs) are individual practices or combinations of practices that, based on scientific research, field-testing, and expert review, have been identified as the most effective and practicable means for improving water quality and water conservation, which include nutrient management, irrigation management, and water resource protection. The Department has adopted in this Rule Title BMP manuals for many of Florida’s agricultural commodities. At least every two years, the Department will perform an implementation verification site visit of each Enrolled Producer and Landowner to verify the proper implementation of all Applicable BMPs using the data from the site visit, supplemented as needed, by information from other sources including county property appraisers, DEP, and water management districts. The Department will notify DEP of any Producer or Landowner that fails to cooperate with the Department to complete an implementation verification site visit within 60 days of contact by Department representatives. The Department will record implementation status assessments of Applicable Best Management Practices (BMPs) by Enrolled Producers or Landowners using data from site visits, periodic producer self verifications, and staff assisted verifications, supplemented by information from other sources including county property appraisers, DEP, and water management districts. The Department will notify the Landowner when an Enrolled Producer’s site visit, self verification, or staff assisted verification is completed for the specified parcels if the Producer is not the Landowner.

(2) Upon completion of the implementation verification site visit, the Enrolled Producer or Landowner will be provided notice as to the requirement of any additional Applicable BMPs to be implemented on the subject parcel(s), corrective or remedial measures pursuant to the requirements of Rule 5M-1.009, F.A.C., as well as any cost share opportunities available for the implementation of additional recommended practices or projects on the subject parcel(s).

(3) During the implementation verification site visit, the Department will collect and review any records required by this rule or the manual under which the parcel(s) is enrolled to verify the proper implementation of the Applicable BMPs. All required records, including nutrient source and application records, shall be maintained for a minimum of five years and must be presented to a Department representative upon request.

(4) During the implementation verification site visit, the Department will collect and retain records regarding the application of nitrogen and phosphorus on the Enrolled parcel(s). Producers or Landowners shall provide the required nutrient application records for the preceding two years to the Department by completing and submitting a Nutrient Application Record Form (FDACS-04005, XX/XX), adopted

herein by reference and available at <http://www.flrules.org/Gateway/>. Producers are strongly encouraged to utilize and submit the electronic version of the form to Department representatives during the implementation verification site visit. Producers or landowners may submit a substantially similar form if it contains the following information for the Enrolled parcel(s):

(a) Manual of Best Management Practices in which the producer is enrolled, including the identification of separate commodities if there are multiple enrollments under a specific manual;

(b) Month(s) and year(s) that nutrient application occurred;

(c) Type of nutrient source utilized;

(d) Total amount of nitrogen applied in pounds;

(e) Total amount of phosphorus as P2O5 applied in pounds; and,

(f) Total acreage over which nitrogen or phosphorus as P2O5 was applied.

(5)(2) No change.

(6)(3) For the Producers or Landowners described below in paragraph (a), (b), or (c), verification of implementation of the Applicable BMPs Best Management Practices will be confirmed by:

(a) through (b) No change.

(c) Compliance with the requirements of proprietary certifications issued by Department qualified non-governmental entities as provided in subsection (8) (5).

(7)(4) A Producer's or Landowner's proof of compliance with any of the permits, agreements, or certifications presented by the issuing agency, as provided in subsection (6) (3), shall be made available to the Department upon request.

(8)(5) Entities seeking to issue proprietary certifications for use in accordance with paragraph (6) (3)(c), must request a qualification review by the Department's Office of Agricultural Water Policy. Applicants will be required to demonstrate the following qualification requirements:

(a) through (f) No change.

(9)(6) Implementation verification of Best Management Practices for Silviculture shall be provided in accordance with Chapter 5I-6, F.A.C.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(d)2.c. FS. History--New 11-1-17, Amended \_\_\_\_\_.

5M-1.009 Best Management Practices Implementation Assistance.

(1) The Department will provide implementation assistance to Enrolled Producers or Landowners as follows:

(a) If the implementation verification site visit status assessment described in subsection 5M-1.008(1), F.A.C., indicates that an Enrolled Producer has not achieved proper full implementation of Applicable BMPs Best Management Practices (BMPs), the Department will work in cooperation with the Producer or Landowner to identify corrective measures to be taken as soon as practicable to achieve proper full implementation of Applicable BMPs. The identification of corrective measures will include the setting of expectations and ~~for~~ the time required to complete them. If the Producer is not the Landowner, the Landowner will be notified that corrective measures have been identified for the Producer's implementation.

(b) If the Producer does not fully implement the identified corrective measures within the established timeframe, the Department will issue a letter of non-compliance identifying work in cooperation with the Producer and Landowner, if the Producer is not the Landowner, to identify remedial measures to be taken by the Producer and, if necessary, the Landowner to achieve proper full implementation of Applicable BMPs. The identification of remedial measures will include setting of expectations and ~~for~~ the time required to complete them. A Producer or Landowner that fails to implement the identified remedial measures will be subject to subsection (2).

(c) In no case shall the overall timeframe for completion of corrective and remedial measures extend beyond the date of the next implementation verification site visit.

(d)(e) A Producer or Landowner that does not cooperate with the Department to identify or implement corrective or remedial measures will be subject to subsection (2).

(2) The Department will notify DEP within 60 days after the date of scheduled completion of remedial measures identified pursuant to paragraph (1)(b), of any Enrolled Producer or Landowner that refuses or fails to properly implement Applicable BMPs.

(3) No change.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(d)2.c. FS. History--New 11-1-17, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christopher Pettit, Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 4, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 16, 2020

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-56.002  
 RULE TITLE: Equipment and Devices; Protocols for Laser and Light-Based Devices

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

SUMMARY: To update the language.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board 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: 458.331(1)(v), 478.43(1), (4) FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.348(3), 478.42(5), 478.43(1), (3), (4) 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:

64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices.

(1) No Change.

(2) An electrologist may use laser or light-based devices for hair removal or reduction only if they:

(a) through (b) No Change.

(c) Are operating under the direct supervision and responsibility of a physician properly trained in hair removal and licensed pursuant to the provisions of Chapter 458 or 459, F.S.

1. For the purposes of this rule direct supervision and responsibility shall require the supervising physician be on the premises where laser hair removal is being performed or supervising the electrologist by means of telehealth as defined by section 456.47(1)(a), F.S., provided that:

a. The physician supervising by means of telehealth is located within 150 miles of the electrologist; and

b. The supervision is conducted in such a way as to allow continuous synchronous communication between the electrologist and the supervising physician.

2. Any electrologist who has been previously disciplined by the Board of Medicine shall not be eligible for supervision by means of telehealth until permitted to do so by Order of the Board of Medicine upon demonstration by the electrologist that they are able to practice safely with supervision by means of telehealth.

(3) No Change.

(4)(a) The supervising physician and the electrologist shall develop jointly written protocols regarding:

1. The medical condition for individuals to receive laser and light-based hair removal or reduction treatment;

2. Specific conditions and the procedure for identifying conditions that require direct evaluation or specific consultation by the physician;

3. Treatment of routine minor problems resulting during or from laser and light-based hair removal or reduction;

4. Health issues or other conditions which would disqualify the use of supervision by means of telehealth for individual patients;

5. Safety limits and processes to ensure that direct supervision via telehealth is done in a safe manner; and

6. Detailed procedures to be followed in the event of emergency situations developing during the performance of or as a result of laser and light-based hair removal or reduction, including emergency procedures to use when supervision is conducted by means of telehealth.

(b) These written protocols must be signed, dated, and maintained in a readily available location on the premises where the electrologist practices. One copy shall be maintained by the supervising physician and one copy must be filed with the Department of Health. The written protocols which are kept on

the premises of the electrologist will be readily available for inspection and review by agents of the Department of Health. The parties to a protocol must notify the Department within 30 days of the termination of their professional relationship.

(c)(b) The written protocol shall include and require that the initial consultation with each patient must include an examination and assessment by a physician licensed pursuant to Chapter 458 or 459, F.S.

(5) No Change.

(6) Any physician who provides supervision to an electrologist must keep the Board informed of the number of electrologists the physician is supervising. No physician is authorized to supervise more than four (4) electrologists at any one time whether in person or by means of telehealth.

Rulemaking Authority 458.331(1)(v), 478.43(1), (4) FS. Law Implemented 458.331(1)(v), 458.348(3), 478.42(5), 478.43(1), (3), (4) FS. History—New 9-12-01, Amended 2-28-02, 7-23-06, 3-12-08, 11-4-14, 2-15-17, 3-14-19, 11-10-19, \_\_\_\_\_.

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: December 4, 2020  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2020

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

**DEPARTMENT OF HEALTH**

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

RULE NOS.:       RULE TITLES:  
64B4-5.001       Disciplinary Guidelines  
64B4-5.0015     Out-of-State Telehealth Discipline  
                          NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 198, October 9, 2020 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rules 64B4-5.001 and 64B4-5.0015, F.A.C.. On November 5, 2020, the Board approved changes to the proposed rule language. The changes are as follows:

THE TEXT OF THE PROPOSED RULE WILL NOW READ:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., or a telehealth provider registered under section 456.47(4), F.S., has committed any of the acts set forth in Section 456.072(1) or 491.009(1), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.

(a) Attempting to obtain, obtaining, or renewing a license under Chapter 491, F.S., by bribery or fraudulent misrepresentation or through an error of the Board or the Department.

(Sections 456.072(1)(h) and 491.009(1)(a), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$500.00 fine and reprimand  | <del>Denial or</del> \$1,000.00 fine and <u>probation</u> <del>permanent revocation</del>                                    |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                                      | <del>Permanent denial and</del> \$1,500.00 fine and <u>one (1) year suspension</u> <del>permanent revocation</del>           |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$2,500.00 fine, or one (1) year suspension then probation         | \$2,500.00 fine and permanent revocation   |
| FRAUD First Offense   | \$10,000.00 fine   | \$10,000.00 fine and <del>or</del> <u>reprimand; probation; suspension then probation;</u> <del>permanent revocation</del>   |
| FRAUD Second Offense  | <u>\$10,000 fine and probation</u>                                 | \$10,000.00 fine and <del>or</del> <u>probation; one (1) year suspension then probation;</u> <del>permanent revocation</del> |
| FRAUD Third and Subsequent Offenses                           | \$10,000.00 fine and <u>one (1) year suspension then probation</u> | \$10,000.00 fine and <del>or one (1) year suspension then probation;</del> permanent revocation                              |
| TELEHEALTH REGISTRANTS:                                       |  |  |
| FIRST OFFENSE   | Reprimand  | Revocation   |
| SECOND OFFENSE  | Suspension and a corrective action Plan                            | Revocation   |

|                               |  |            |
|-------------------------------|--|------------|
| THIRD AND SUBSEQUENT OFFENSES | One (1) year suspension followed by a corrective action plan | Revocation |
|-------------------------------|--|------------|

(b) Having a license or certificate to practice a comparable profession or any regulated profession revoked, suspended, or otherwise acted against, including the denial of certification or licensure by another state, territory, or country.  
(Sections 456.072(1)(f) and 491.009(1)(b), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                                | <del>Denial or</del> \$1,000.00 fine and <u>probation</u> <del>permanent revocation</del> |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                                | <del>Permanent denial or</del> \$1,000.00 fine and permanent revocation                   |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine, one (1) year, suspension then probation     | <del>Permanent denial or</del> \$1,000.00 fine and permanent revocation                   |
| TELEHEALTH REGISTRANTS:                                       |  |   |
| FIRST OFFENSE   | Reprimand  | Revocation  |
| SECOND OFFENSE  | Suspension and a corrective action Plan                      | Revocation  |
| THIRD AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a corrective action plan | Revocation  |

(c) Being convicted or found guilty, regardless of adjudication, or having entered a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice of the licensee's profession or the licensee's ability to practice that profession.  
(Sections 456.072(1)(c) and 491.009(1)(c), F.S.)

|                                       | MINIMUM | MAXIMUM |
|---------------------------------------|---------|---------|
| <u>LICENSEES, REGISTERED INTERNS,</u> |         |         |

| <u>AND CERTIFICATE HOLDERS</u> |   |  |
|--------------------------------|---|--|
| FIRST OFFENSE:                 | \$1,000.00 fine and probation                                 | <del>Denial or</del> \$1,000.00 fine and <u>one (1) year suspension then probation</u> <del>permanent revocation</del> |
| SECOND OFFENSE:                | \$1,000.00 fine and one (1) year suspension then probation    | <del>Permanent denial or</del> \$1,000.00 fine and permanent revocation  |
| THIRD AND SUBSEQUENT OFFENSES: | \$2,500.00 fine, two (2) years suspension then probation      | \$2,500.00 fine and permanent revocation   |
| TELEHEALTH REGISTRANTS         |   |  |
| FIRST OFFENSE                  | Suspension and a corrective action plan                       | Revocation   |
| SECOND OFFENSE                 | Suspension and a corrective action plan                       | Revocation   |
| THIRD AND SUBSEQUENT OFFENSES  | Two (2) years suspension followed by a corrective action plan | Revocation   |

(d) False, deceptive, or misleading advertising or obtaining a fee or other thing of value on the representation that beneficial results from any treatment will be guaranteed.  
(Section 491.009(1)(d), F.S.)

|   | MINIMUM         | MAXIMUM  |
|---|-----------------|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                 |  |
| FIRST OFFENSE:  | \$250.00 fine   | \$1,000.00 fine and reprimand                              |
| SECOND OFFENSE:   | \$500.00 fine   | \$1,000.00 fine and probation                              |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine | \$1,000.00 fine and one (1) year suspension then probation |

|                                |                   |                         |
|--------------------------------|-------------------|-------------------------|
| TELEHEALTH REGISTRANTS         |                   |                         |
| FIRST OFFENSE                  | Letter of Concern | One (1) year suspension |
| SECOND AND SUBSEQUENT OFFENSES | Reprimand         | Revocation              |

(e) Advertising, practicing, or attempting to practice under a name other than one's own.  
(Section 491.009(1)(e), F.S.)

|   | MINIMUM           | MAXIMUM  |
|---|-------------------|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                   |  |
| FIRST OFFENSE:  | \$250.00 fine     | \$1,000.00 fine and reprimand                              |
| SECOND OFFENSE:   | \$500.00 fine     | \$1,000.00 fine and probation                              |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine   | \$1,000.00 fine and one (1) year suspension then probation |
| TELEHEALTH REGISTRANTS  |                   |  |
| FIRST OFFENSE   | Letter of Concern | One (1) year suspension                                    |
| SECOND AND SUBSEQUENT OFFENSES                                | Reprimand         | Revocation   |

(f) Maintaining a professional association with any person whom the applicant or licensee knows, or has reason to believe, is in violation of Chapter 491, F.S., or of a rule of the Department or this Board.  
(Section 491.009(1)(f), F.S.)

|   | MINIMUM         | MAXIMUM                          |
|---|-----------------|----------------------------------|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                 |                                  |
| FIRST OFFENSE:  | \$250.00 fine   | \$1,000.00 fine and reprimand    |
| SECOND OFFENSE:   | \$500.00 fine   | \$1,000.00 fine and probation    |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine | \$1,000.00 fine and one (1) year |

|                                |   |                           |
|--------------------------------|---|---------------------------|
|                                |   | suspension then probation |
| TELEHEALTH REGISTRANTS         |   |                           |
| FIRST OFFENSE                  | Letter of Concern                       | Reprimand                 |
| SECOND AND SUBSEQUENT OFFENSES | Suspension and a corrective action plan | Revocation                |

(g) Knowingly aiding, assisting, procuring, or advising a non-licensed person to hold oneself out as licensed under Chapter 491, F.S.  
(Sections 456.072(1)(j) and 491.009(1)(g), F.S.)

|   | MINIMUM   | MAXIMUM   |
|---|---|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |   |
| FIRST OFFENSE:  | \$1,000.00 fine and <del>probation</del> reprimand                      | \$1,000.00 fine and <del>or probation</del> , one (1) year suspension then probation; <del>permanent revocation</del> |
| SECOND OFFENSE:   | \$1,000.00 fine and <u>one (1) year suspension then probation</u>       | \$1,000.00 fine and permanent revocation  |
| THIRD AND SUBSEQUENT OFFENSES:                                | <del>\$2</del> 1,000.00 fine and one (1) year suspension then probation | <del>\$2</del> 1,000.00 fine and permanent revocation   |
| TELEHEALTH REGISTRANTS  |   |   |
| FIRST OFFENSE   | Reprimand   | Revocation  |
| SECOND AND SUBSEQUENT OFFENSES                                | Suspension and a corrective action plan                                 | Revocation  |

(h) Failing to perform any statutory or legal obligation placed upon a person licensed under Chapter 491, F.S.  
(Sections 456.072(1)(k) and 491.009(1)(h), F.S.)

|   | MINIMUM | MAXIMUM |
|---|---------|---------|
| <u>LICENSEES, REGISTERED INTERNS, AND</u> |         |         |

|                                |   |  |
|--------------------------------|---|--|
| <u>CERTIFICATE HOLDERS</u>     |   |  |
| FIRST OFFENSE:                 | Reprimand                               | \$1,000.00 fine and one (1) year probation                   |
| SECOND OFFENSE:                | \$1,000.00 fine and reprimand           | \$1,000.00 fine and six (6) months suspension then probation |
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine and probation           | \$1,000.00 fine and permanent revocation                     |
| TELEHEALTH REGISTRANTS         |   |  |
| FIRST OFFENSE                  | Reprimand                               | Suspension and a corrective action plan                      |
| SECOND AND SUBSEQUENT OFFENSES | Suspension and a corrective action plan | Revocation   |

(i) Willfully making or filing a false report or record; failing to file a report or record required by state or federal law; willfully impeding or obstructing the filing of a report or record; or inducing another person to make or file a false report or record or to impede or obstruct the filing of a report or record. (Sections 456.072(1)(l) and 491.009(1)(i), F.S.)

|   | MINIMUM   | MAXIMUM  |
|---|---|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |  |
| FIRST OFFENSE:  | \$500.00 fine and <del>probation</del> <u>reprimand</u>           | \$1,000.00 fine and <del>or</del> <u>probation</u> ; one (1) year suspension then probation; <del>permanent revocation</del> |
| SECOND OFFENSE:   | \$1,000.00 fine and <u>one (1) year suspension then probation</u> | \$1,000.00 fine and <del>one (1) year suspension followed by probation</del> ; <del>denial</del> <u>or</u> \$1,000.00 fine   |

|                                |  |  |
|--------------------------------|--|--|
|                                |  | and permanent revocation   |
| THIRD AND SUBSEQUENT OFFENSES: | \$ <del>21,000.00</del> <u>24,000.00</u> fine; and one (1) year suspension followed by probation | \$ <del>240,000.00</del> <u>240,000.00</u> fine and permanent revocation |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Revocation   |
| SECOND AND SUBSEQUENT OFFENSES | Suspension and a corrective action plan  | Revocation   |

(j) Paying or receiving a kickback, rebate, bonus, or other remuneration for receiving a patient or client or referring a patient or client to another provider of mental health care services or to a provider of health care services or goods; referring a patient or client to oneself for services on a fee-paid basis when those services are already being paid for by some other public or private entity; or entering into a reciprocal referral agreement.

(Section 491.009(1)(j), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                              | \$1,000.00 fine and probation  |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                              | \$1,000.00 fine and one (1) year suspension then probation           |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> <u>or</u> \$1,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |  |
| FIRST OFFENSE   | Reprimand  | Suspension and a corrective action plan                              |
| SECOND AND SUBSEQUENT OFFENSES                                | Suspension and a corrective action plan                    | Revocation   |

(k) Committing any act upon a patient or client, which would constitute sexual battery or which would constitute sexual misconduct.

(Sections 456.072(1)(v) and 491.009(1)(k), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$1,000.00 fine and one (1) year suspension then probation   | <del>Denial or</del> \$1,000.00 fine and revocation           |
| SECOND OFFENSE:   | \$1,000.00 fine and two (2) years suspension then probation  | <del>Denial or</del> \$1,000.00 fine and permanent revocation |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$5,000.00 fine, two (2) years suspension then probation     | \$10,000.00 fine and <del>or</del> permanent revocation       |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a corrective action plan | Revocation  |

(l) Making misleading, deceptive, untrue, or fraudulent misrepresentations in the practice of any profession licensed under Chapter 491, F.S., or employing a trick or scheme in or related to the practice of a profession.

(Sections 456.072(1)(m) and 491.009(1)(l), F.S.)

|   | MINIMUM         | MAXIMUM                                 |
|---|-----------------|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                 |   |
| FIRST OFFENSE:  | \$250.00 fine   | \$1,000.00 fine and reprimand           |
| SECOND OFFENSE:   | \$500.00 fine   | \$1,000.00 fine and probation           |
| THIRD AND SUBSEQUENT  | \$1,000.00 fine | \$1,000.00 fine and <u>one (1)</u> year |

|                                     |  |   |
|-------------------------------------|--|---|
| OFFENSES:                           |  | suspension followed by probation  |
| FRAUD First Offense                 | \$10,000.00 fine <u>and</u> probation                              | \$10,000.00 fine and <del>or</del> reprimand; <del>probation;</del> suspension then probation; permanent revocation |
| FRAUD Second Offense                | \$10,000.00 fine <u>and one (1) year suspension then probation</u> | \$10,000.00 fine and <del>or</del> probation; <del>suspension then probation;</del> permanent revocation            |
| FRAUD Third and Subsequent Offenses | \$10,000.00 fine <u>and permanent revocation</u>                   | \$10,000.00 fine and <del>or one (1) year suspension then probation;</del> permanent revocation                     |
| TELEHEALTH REGISTRANTS              |  |   |
| FIRST OFFENSE                       | Letter of Concern  | Reprimand   |
| SECOND OFFENSE                      | Reprimand  | Suspension and a corrective action plan   |
| THIRD AND SUBSEQUENT OFFENSES       | Suspension and a corrective action plan                            | Revocation  |

(m) Soliciting patients or clients personally, or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct.

(Section 491.009(1)(m), F.S.)

|   | MINIMUM                     | MAXIMUM   |
|---|-----------------------------|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                             |   |
| FIRST OFFENSE:  | \$500.00 fine and reprimand | \$1,000.00 fine and <del>or</del> six (6) months suspension then probation; <del>permanent revocation</del> |

|                                     |  |   |
|-------------------------------------|--|---|
| SECOND OFFENSE:                     | \$1,000.00 <del>fine</del> and reprimand                     | \$1,500.00 fine and/or one (1) year suspension then probation; <del>permanent revocation</del>    |
| THIRD AND SUBSEQUENT OFFENSES:      | \$1,500.00 fine and one (1) year suspension then probation   | \$1,000.00 fine and/or permanent revocation   |
| FRAUD First Offense                 | \$10,000.00 fine and reprimand                               | \$10,000.00 fine and/or six (6) months suspension then probation; <del>permanent revocation</del> |
| FRAUD Second Offense                | \$10,000.00 fine and reprimand                               | \$10,000.00 fine and/or one (1) year suspension then probation; <del>permanent revocation</del>   |
| FRAUD Third and Subsequent Offenses | \$10,000.00 fine and one (1) year suspension then probation  | \$10,000.00 fine and/or permanent revocation  |
| TELEHEALTH REGISTRANTS              |  |   |
| FIRST AND SECOND OFFENSES           | Reprimand  | Revocation  |
| THIRD AND SUBSEQUENT OFFENSES       | One (1) year suspension followed by a corrective action plan | Revocation  |

(n) Failing to make available to a patient or client, upon written request, copies of tests, reports, or documents in the possession or under the control of the licensee which have been prepared for and paid for by the patient or client. (Section 491.009(1)(n), F.S.)

|   | MINIMUM | MAXIMUM |
|---|---------|---------|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |         |         |

|                                |  |  |
|--------------------------------|--|--|
| FIRST OFFENSE:                 | \$500.00 fine and reprimand                                  | \$1,000.00 fine and probation                                |
| SECOND OFFENSE:                | \$1,000.00 fine and probation                                | \$1,000.00 fine and one (1) year suspension then probation   |
| THIRD AND SUBSEQUENT OFFENSES: | \$2,500.00 fine, one (1) year suspension then probation      | \$2,500.00 fine and/or permanent revocation                  |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Suspension and a corrective action plan                      |
| SECOND OFFENSE                 | Suspension and a corrective action plan                      | One (1) year suspension followed by a corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(o) Failing to respond within thirty (30) days to a written communication from the Department or the Board concerning any investigation by the Department or the Board, or failing to make available any relevant records with respect to the investigation about the licensee's conduct or background. (Section 491.009(1)(o), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                              | \$1,000.00 fine and probation                                 |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                              | \$1,000.00 fine and one (1) year suspension then probation    |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> or \$1,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |   |

|                                |  |  |
|--------------------------------|--|--|
| FIRST OFFENSE                  | Reprimand  | Suspension and a corrective action plan                      |
| SECOND AND SUBSEQUENT OFFENSES | Suspension and a corrective action plan                      | One (1) year suspension followed by a corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(p) Being unable to practice the profession for which one is licensed under Chapter 491, F.S., with reasonable skill and competence as a result of any mental or physical condition or by reason of illness; drunkenness; or excessive use of drugs, narcotics, chemicals, or any other substance.  
(Sections 456.072(1)(z) and 491.009(1)(p), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$1,000.00 fine and probation  | \$1,000.00 fine and suspension until the licensee is able to appear before the Board and demonstrate that he or she is able to practice with reasonable skill and competence, then probation |
| SECOND OFFENSE:   | Suspension until the licensee is able to appear before the Board and demonstrate that his or her ability to practice with reasonable skill and | \$1,000.00 fine and permanent revocation   |

|                                |  |   |
|--------------------------------|--|---|
|                                | competence, then probation   |   |
| THIRD AND SUBSEQUENT OFFENSES: | Suspension until the licensee is able to appear before the Board and demonstrate his or her ability to practice with reasonable skill and competence, then probation           | \$2,500.00 fine and/or permanent revocation |
| TELEHEALTH REGISTRANTS         |  |   |
| FIRST AND SUBSEQUENT OFFENSES  | Suspension and a corrective action plan which includes, the Registrant appearing before the Board and demonstrating their ability to practice with reasonable skill and safety | Revocation                                  |

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.  
(Sections 456.072(1)(dd) and 491.009(1)(w), F.S.)

|   | MINIMUM                     | MAXIMUM  |
|---|-----------------------------|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                             |  |
| FIRST OFFENSE:  | \$250.00 fine and reprimand | \$1,000.00 fine and/or probation; one (1) year suspension then probation; permanent revocation |

|                                |  |  |
|--------------------------------|--|--|
| SECOND OFFENSE:                | \$1,000.00 fine and one (1) year probation                 | <del>Denial</del> or \$5,000.00 fine and two (2) years suspension then probation; permanent revocation |
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> or \$5,000.00 fine and/or permanent revocation                                       |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Revocation   |
| SECOND AND SUBSEQUENT OFFENSES | Suspension and a corrective action plan                    | Revocation   |

(r) Performing any treatment or prescribing any therapy which, by the prevailing standards of the mental health professions in the community would constitute experimentation on human subjects, without first obtaining full, informed, and written consent.

(Section 491.009(1)(q), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$500.00 fine and reprimand                                | \$1,000.00 fine and probation                                 |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                              | \$1,000.00 fine and one (1) year suspension then probation    |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> or \$1,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST OFFENSE   | Reprimand  | Suspension and a corrective action plan                       |
| SECOND AND SUBSEQUENT OFFENSES                                | Suspension and a   | One (1) year suspension followed by a                         |

|                               |  |                        |
|-------------------------------|--|------------------------|
|                               | corrective action plan                                       | corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES | One (1) year suspension followed by a corrective action plan | Revocation             |

(s) Failing to meet the ~~minimum~~ MINIMUM standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

(Section 491.009(1)(r), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$250.00 fine and reprimand                                | \$5,000.00 fine and/or probation; one (1) year suspension then probation; permanent revocation  |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                              | \$1,000.00 fine and/or one (1) year suspension then followed by probation; permanent revocation |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> or \$1,000.00 fine and permanent revocation                                   |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST OFFENSE   | Reprimand  | Revocation  |
| SECOND OFFENSE  | Suspension and a corrective action plan                    | Revocation  |
| THIRD AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a                      | Revocation  |

|  |                           |  |
|--|---------------------------|--|
|  | corrective<br>action plan |  |
|--|---------------------------|--|

(t) Delegating professional responsibilities to a person whom the licensee knows or has reason to know is not qualified by training or experience to perform such responsibilities. (Sections 456.072(1)(p) and 491.009(1)(s), F.S.)

|   | MINIMUM   | MAXIMUM   |
|---|---|---|
| <u>LICENSEES,<br/>REGISTERED<br/>INTERNS, AND<br/>CERTIFICATE<br/>HOLDERS</u> |   |   |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                                     | \$1,000.00 fine and probation   |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                                     | \$1,000.00 fine and permanent revocation  |
| THIRD AND SUBSEQUENT OFFENSES:  | \$1,000.00 fine and <u>one (1) year suspension then probation</u> | \$1,000.00 fine and <u>one (1) year suspension then probation</u> <del>permanent revocation</del> |
| TELEHEALTH REGISTRANTS  |   |   |
| FIRST OFFENSE   | Reprimand   | Suspension and a corrective action plan   |
| SECOND OFFENSE  | Suspension and a corrective action plan                           | Revocation  |
| THIRD AND SUBSEQUENT OFFENSES   | One (1) year suspension followed by a corrective action plan      | Revocation  |

(u) Violating a rule relating to the regulation of the profession or a lawful order of the Department or the Board previously entered in a disciplinary hearing. (Section 491.009(1)(t), F.S.)

|   | MINIMUM                     | MAXIMUM                                |
|---|-----------------------------|--|
| <u>LICENSEES,<br/>REGISTERED<br/>INTERNS, AND<br/>CERTIFICATE<br/>HOLDERS</u> |                             |  |
| FIRST OFFENSE:  | \$250.00 fine and reprimand | \$1,000.00 fine and <del>six (6)</del> |

|                                |   |   |
|--------------------------------|---|---|
|                                |   | months suspension then probation; <del>permanent revocation</del>   |
| SECOND OFFENSE:                | \$1,000.00 fine and one (1) year suspension then probation    | <del>Denial</del> or \$1,000.00 fine and <u>two (2) years suspension then probation</u> <del>permanent revocation</del> |
| THIRD AND SUBSEQUENT OFFENSES: | \$2,000.00 fine and two (2) years suspension then probation   | \$2,000.00 fine and <del>or</del> permanent revocation  |
| TELEHEALTH REGISTRANTS         |   |   |
| FIRST OFFENSE                  | Reprimand   | Revocation  |
| SECOND OFFENSE                 | One (1) year suspension followed by a corrective action plan  | Revocation  |
| THIRD AND SUBSEQUENT OFFENSES  | Two (2) years suspension followed by a corrective action plan | Revocation  |

(v) Failure of a licensee to maintain in confidence any communication made by a patient or client in the context of services, except by written permission or in the face of clear and immediate probability of bodily harm to the patient or client or to others.

(Section 491.009(1)(u), F.S.)

|   | MINIMUM                       | MAXIMUM   |
|---|-------------------------------|---|
| <u>LICENSEES,<br/>REGISTERED<br/>INTERNS, AND<br/>CERTIFICATE<br/>HOLDERS</u> |                               |   |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand | \$1,000.00 fine and probation                                     |
| SECOND OFFENSE:   | \$1,000.00 fine and probation | \$1,000.00 fine and <u>one (1) year suspension then probation</u> |

|                                |  |  |
|--------------------------------|--|--|
|                                |  | <del>permanent revocation</del>                        |
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine and one (1) year suspension then probation   | \$1,000.00 fine and <del>or</del> permanent revocation |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Suspension and a corrective action plan                |
| SECOND OFFENSE                 | Suspension and a corrective action plan                      | Revocation   |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(w) Making public statements which are derived from test data, client contacts, or behavioral research and which identify or damage research subjects or clients.  
(Section 491.009(1)(v), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                    | \$1,000.00 fine and probation  |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                    | \$1,000.00 fine and <u>one (1) year suspension then probation</u><br><del>permanent revocation</del> |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$2,000.00 fine 1 year suspension then probation | \$2,000.00 fine and <del>or</del> permanent revocation   |
| TELEHEALTH REGISTRANTS  |  |  |
| FIRST OFFENSE   | Reprimand  | Suspension and a corrective action plan  |
| SECOND OFFENSE  | Suspension and a corrective action plan          | Revocation   |

|                               |  |            |
|-------------------------------|--|------------|
| THIRD AND SUBSEQUENT OFFENSES | One (1) year suspension followed by a corrective action plan | Revocation |
|-------------------------------|--|------------|

(x) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department or the agency against another licensee.  
(Section 456.072(1)(g), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$500.00 fine and reprimand                                  | \$1,000.00 fine and probation  |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                                | \$1,000.00 fine and one (1) year suspension followed by probation        |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation   | <del>Denial</del> <del>or</del> \$1,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |  |
| FIRST OFFENSE   | Reprimand  | Suspension and a corrective action plan                                  |
| SECOND OFFENSE  | Suspension and a corrective action plan                      | One (1) year suspension followed by a corrective action plan             |
| THIRD AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a corrective action plan | Revocation   |

(y) Except as provided in Section 465.016, F.S., failing to report to the department any person whom the licensee knows is in violation of Chapter 456, Part II, Chapter 491, F.S., or the rules of the Department or the Board.  
(Section 456.072(1)(i), F.S.)

|  | MINIMUM | MAXIMUM |
|--|---------|---------|
|--|---------|---------|

|   |   |  |
|---|---|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |  |
| FIRST OFFENSE:  | \$250.00 fine                           | \$1,000.00 fine and reprimand                              |
| SECOND OFFENSE:   | \$500.00 fine                           | \$1,000.00 fine and probation                              |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine                         | \$1,000.00 fine and one (1) year suspension then probation |
| TELEHEALTH REGISTRANTS  |   |  |
| FIRST OFFENSE   | Letter of concern                       | Reprimand  |
| SECOND OFFENSE  | Reprimand                               | Suspension and a corrective action plan                    |
| THIRD AND SUBSEQUENT OFFENSES                                 | Suspension and a corrective action plan | Revocation   |

(z) Exercising influence on the client for the purpose of financial gain of the licensee or a third party.  
(Section 456.072(1)(n), F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$1,000.00 fine and probation  | <del>Denial</del> or \$1,000.00 fine and <u>one (1) year suspension then by probation revocation</u> |
| SECOND OFFENSE:   | \$1,000.00 fine and one (1) year suspension then <del>by</del> probation | <del>Permanent denial</del> or \$1,000.00 fine and permanent revocation                              |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$2,000.00 fine, two (2) years   | \$2,000.00 fine and <del>or</del>  |

|                               |   |                      |
|-------------------------------|---|----------------------|
|                               | suspension then probation                                     | permanent revocation |
| TELEHEALTH REGISTRANTS        |   |                      |
| FIRST OFFENSE                 | Suspension and a corrective action plan                       | Revocation           |
| SECOND OFFENSE                | One (1) year suspension followed by a corrective action plan  | Revocation           |
| THIRD AND SUBSEQUENT OFFENSES | Two (2) years suspension followed by a corrective action plan | Revocation           |

(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.

(Section 456.072(1)(r), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                              | \$1,000.00 fine and <u>six (6) months suspension then probation</u> |
| SECOND OFFENSE:   | \$1,000.00 fine and one (1) year suspension then probation | <del>Denial</del> or \$1,000 fine and permanent revocation          |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$2,000.00 fine, two (2) years suspension then probation   | \$2,000.00 fine and <del>or</del> permanent revocation              |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST OFFENSE   | Reprimand  | Six (6) months suspension followed by a corrective action plan      |
| SECOND AND SUBSEQUENT OFFENSES                                | One (1) year suspension followed by a                      | Revocation  |

|                               |   |            |
|-------------------------------|---|------------|
|                               | corrective action plan  |            |
| THIRD AND SUBSEQUENT OFFENSES | Two (2) years suspension followed by a corrective action plan | Revocation |

(bb) Intentionally violating any rule adopted by the Board or the department, as appropriate.  
(Section 456.072(1)(b), F.S.)

|   | MINIMUM   | MAXIMUM  |
|---|---|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |  |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                                 | \$1,000.00 fine and <del>or</del> <u>six (6) months</u> suspension then probation; <del>permanent revocation</del> |
| SECOND OFFENSE:   | \$1,000.00 fine and one (1) year suspension then probation    | <del>Denial</del> <del>or</del> \$1,000.00 fine and permanent revocation   |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$2,000.00 fine, two (2) years suspension then probation      | \$2,000.00 fine and <del>or</del> permanent revocation   |
| TELEHEALTH REGISTRANTS  |   |  |
| FIRST OFFENSE   | Reprimand   | Revocation   |
| SECOND OFFENSE  | One (1) year suspension followed by a corrective action plan  | Revocation   |
| THIRD AND SUBSEQUENT OFFENSES                                 | Two (2) years suspension followed by a corrective action plan | Revocation   |

(cc) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.  
(Section 456.072(1)(o), F.S.)

|  | MINIMUM | MAXIMUM |
|--|---------|---------|
|--|---------|---------|

|   |  |  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$1,000.00 fine and reprimand                                | \$1,000.00 fine and probation            |
| SECOND OFFENSE:   | \$1,000.00 fine and probation                                | \$1,000.00 fine and revocation           |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation   | \$1,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |  |
| FIRST OFFENSE   | Reprimand  | Suspension and a corrective action plan  |
| SECOND OFFENSE  | Suspension and a corrective action plan                      | Revocation                               |
| THIRD AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a corrective action plan | Revocation                               |

(dd) Violating any provision of ~~this part~~ Chapters 491 or 456, F.S., the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

(Sections 456.072(1)(q) and 491.009(1)(w), F.S.)

|   | MINIMUM                       | MAXIMUM   |
|---|-------------------------------|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                               |   |
| FIRST OFFENSE:  | \$250.00 fine and reprimand   | \$1,000.00 fine and <del>or</del> probation; <del>one (1) year</del> suspension then probation; <del>permanent revocation</del> |
| SECOND OFFENSE:   | \$1,000.00 fine and probation | \$1,000.00 fine and <del>or</del> <u>one (1)</u>  |

|                                |  |  |
|--------------------------------|--|--|
|                                |  | year suspension then probation; <del>or permanent revocation</del> |
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine and one (1) year suspension then probation   | \$1,000.00 fine and permanent revocation                           |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Revocation   |
| SECOND OFFENSE                 | Suspension and a corrective action plan                      | Revocation   |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(ee) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

(Section 456.072(1)(w), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | <del>Denial,</del> \$500.00 fine and reprimand   | \$1,000.00 fine and/or <del>reprimand;</del> <del>one (1) year suspension then</del> probation; <del>permanent revocation</del> |
| SECOND OFFENSE:   | <del>Denial,</del> \$1,000.00 fine and probation | \$1,000.00 fine and/or three (3) months suspension then probation; <del>permanent revocation</del>                              |

|                                     |   |  |
|-------------------------------------|---|--|
| THIRD AND SUBSEQUENT OFFENSES:      | <del>Denial,</del> \$1,000.00 fine and <u>one (1)</u> year suspension then probation  | <del>Denial</del> or \$1,000.00 fine and permanent revocation  |
| FRAUD First Offense                 | <del>Denial,</del> \$10,000.00 fine and reprimand                                     | \$10,000.00 fine and/or <del>reprimand;</del> <del>one (1) year suspension then</del> probation; <del>permanent revocation</del> |
| FRAUD Second Offense                | <del>Denial,</del> \$10,000.00 fine and probation                                     | \$10,000.00 fine and/or <del>three (3) months suspension then</del> probation; <del>permanent revocation</del>                   |
| FRAUD Third and Subsequent Offenses | <del>Denial,</del> \$10,000.00 fine and <u>one (1)</u> year suspension then probation | \$10,000.00 fine and/or <del>permanent revocation</del>  |
| TELEHEALTH REGISTRANTS              |   |  |
| FIRST OFFENSE                       | Reprimand   | Revocation   |
| SECOND OFFENSE                      | Suspension and a corrective action plan   | Revocation   |
| THIRD AND SUBSEQUENT OFFENSES       | One (1) year suspension followed by a corrective action plan                          | Revocation   |

(ff) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.

(Section 456.072(1)(y), F.S.)

|   | MINIMUM | MAXIMUM |
|---|---------|---------|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |         |         |

|                                |  |  |
|--------------------------------|--|--|
| FIRST OFFENSE:                 | \$500.00 fine and reprimand                                  | \$1,000.00 fine and six (6) months suspension then probation   |
| SECOND OFFENSE:                | \$1,000.00 and reprimand                                     | \$1,000.00 fine and one (1) year suspension then probation     |
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine one (1) year suspension then probation       | \$1,000.00 fine and permanent revocation                       |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Reprimand  | Six (6) months suspension followed by a corrective action plan |
| SECOND OFFENSE                 | Reprimand  | One (1) year suspension followed by a corrective action plan   |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(gg) Failing to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

(Section 456.072(1)(x), F.S.)

|   | MINIMUM                       | MAXIMUM  |
|---|-------------------------------|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                               |  |
| FIRST OFFENSE:  | \$500.00 fine                 | \$1,000.00 fine and reprimand                                |
| SECOND OFFENSE:   | \$1,000.00 fine and probation | \$1,000.00 fine and six (6) months suspension then probation |

|                                |  |  |
|--------------------------------|--|--|
| THIRD AND SUBSEQUENT OFFENSES: | \$1,000.00 fine and one (1) year suspension then probation   | Denial <del>or</del> \$1,000.00 fine and permanent revocation  |
| TELEHEALTH REGISTRANTS         |  |  |
| FIRST OFFENSE                  | Letter of Concern  | Reprimand  |
| SECOND OFFENSE                 | Suspension and a corrective action plan                      | Six (6) months suspension followed by a corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES  | One (1) year suspension followed by a corrective action plan | Revocation   |

(hh) Testing positive for any drug on any confirmed preemployment or employer-ordered drug screening.

(Section 456.072(1)(aa), F.S.)

|   | MINIMUM  | MAXIMUM   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$500.00 fine and probation  | \$750.00 fine and substance abuse evaluation, suspension then probation           |
| SECOND OFFENSE:   | \$750.00 fine <u>one (1) year</u> suspension then probation  | \$1,000.00 fine and <del>or</del> permanent revocation                            |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine, two (2) years suspension then probation   | \$1,000.00 fine and <del>or</del> permanent revocation                            |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST OFFENSE   | Suspension and a corrective action plan which includes, at a minimum, a substance abuse evaluation | One (1) year suspension followed by a corrective action plan which includes, at a |

|                               |  |                                       |
|-------------------------------|--|---------------------------------------|
|                               |  | minimum, a substance abuse evaluation |
| SECOND OFFENSE                | Suspension and a corrective action plan which includes, at a minimum, a substance abuse evaluation | Revocation                            |
| THIRD AND SUBSEQUENT OFFENSES | One (1) year suspension followed by a corrective action plan                                       | Revocation                            |

(ii) Failing to inform the department of any change of address of either the place of practice or current mailing address of any applicant or licensee.  
(Section 456.035, F.S.)

|   | MINIMUM  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$250.00 fine  | \$500.00 fine and reprimand                                    |
| SECOND OFFENSE:   | \$1,000.00 fine and reprimand                              | \$1,000.00 fine and six (6) months suspension then probation   |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$1,000.00 fine and one (1) year suspension then probation | \$1,000.00 fine and permanent revocation                       |
| TELEHEALTH REGISTRANTS  |  |  |
| FIRST OFFENSE   | Letter of Concern  | Reprimand  |
| SECOND OFFENSE  | Reprimand  | Six (6) months suspension followed by a corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES                                 | One (1) year suspension followed by a                      | Revocation   |

|  |                        |  |
|--|------------------------|--|
|  | corrective action plan |  |
|--|------------------------|--|

(jj) Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.

(Section 456.072(1)(hh), F.S.)

|   | MINIMUM   | MAXIMUM                                      |
|---|---|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |  |
| FIRST AND SUBSEQUENT OFFENSES:                                | Suspension until compliant with contract  | \$10,000.00 fine and/or permanent revocation |
| TELEHEALTH REGISTRANTS  |   |  |
| FIRST AND SUBSEQUENT OFFENSES                                 | Suspension and a corrective action plan that requires, at a minimum, compliance with the treatment contract | Revocation                                   |

(kk) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

(Section 456.072(1)(ii), F.S.)

|   | MINIMUM                                | MAXIMUM                                   |
|---|--|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |   |
| FIRST OFFENSE:  | \$10,000.00 fine, permanent revocation | \$10,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |  |   |
| FIRST OFFENSE   | Revocation                             | Revocation                                |

(ll) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement.  
(Section 456.072(1)(jj), F.S.)

|   | MINIMUM                             | MAXIMUM   |
|---|-------------------------------------|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                                     |   |
| FIRST OFFENSE:  | \$500.00 fine and Letter of concern | \$5,000.00 fine and <del>or</del> suspension            |
| SECOND OFFENSE:   | \$10,000.00 fine and reprimand      | \$10,000.00 fine and <del>or</del> permanent revocation |
| THIRD OFFENSE:  | Permanent Revocation                |   |
| TELEHEALTH REGISTRANTS  |                                     |   |
| FIRST OFFENSE   | Letter of Concern                   | Suspension and a corrective action plan                 |
| SECOND OFFENSE  | Reprimand                           | Revocation  |
| THIRD OFFENSE   | Revocation                          |   |

(mm) Being terminated from the state Medicaid program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored.  
(Section 456.072(1)(kk), F.S.)

|   | MINIMUM                            | MAXIMUM   |
|---|------------------------------------|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |                                    |   |
| FIRST OFFENSE:  | \$1,000.00 fine, Letter of concern | \$5,000.00 fine and <del>or</del> suspension            |
| SECOND OFFENSE:   | \$10,000.00 fine, reprimand        | \$10,000.00 fine and <del>or</del> permanent revocation |
| THIRD OFFENSE:  | Permanent Revocation               |   |
| TELEHEALTH  |                                    |   |

|                |                   |   |
|----------------|-------------------|---|
| REGISTRANTS    |                   |   |
| FIRST OFFENSE  | Letter of Concern | Suspension and a corrective action plan |
| SECOND OFFENSE | Reprimand         | Revocation                              |
| THIRD OFFENSE  | Revocation        |   |

(nn) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.  
(Section 456.072(1)(ll), F.S.)

|   | MINIMUM                                   | MAXIMUM                                   |
|---|---|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |   |
| FIRST OFFENSE:  | \$10,000.00 fine and permanent revocation | \$10,000.00 fine and permanent revocation |
| TELEHEALTH REGISTRANTS  |   |   |
| FIRST OFFENSE   | Revocation                                |   |

(oo) Willfully failing to comply with Section 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice – regarding emergency services and insurance billing.  
(Section 456.072(1)(oo), F.S.)

|   | MINIMUM                                  | MAXIMUM  |
|---|--|--|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |  |  |
| FIRST OFFENSE:  | \$250.00 fine, reprimand                 | \$500.00 fine, reprimand                               |
| SECOND OFFENSE:   | \$500.00 fine and probation              | \$500.00 fine, suspension then probation               |
| THIRD AND SUBSEQUENT OFFENSES:                                | \$750.00 fine, suspension then probation | \$1,000.00 fine and <del>or</del> permanent revocation |

|                               |  |  |
|-------------------------------|--|--|
| TELEHEALTH REGISTRANTS        |  |  |
| FIRST OFFENSE                 | Letter of Concern  | Reprimand  |
| SECOND OFFENSE                | Suspension and a corrective action plan                      | One (1) year suspension followed by a corrective action plan |
| THIRD AND SUBSEQUENT OFFENSES | One (1) year suspension followed by a corrective action plan | Revocation   |

|                                      |   |                   |
|--------------------------------------|---|-------------------|
| <u>THIRD AND SUBSEQUENT OFFENSES</u> | <u>One (1) year suspension followed by a corrective action plan</u> | <u>Revocation</u> |
|--------------------------------------|---|-------------------|

(2) No change.

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

(a) through (k) No change.

~~(l) Any other mitigating or aggravating circumstances.~~

(4) No Change.

(pp) Providing information, including written documentation, indicating that a person has a disability or supporting a person’s need for an emotional support animal without personal knowledge of the person’s disability or disability-related need.

(Section 456.072(1)(pp), F.S.)

Rulemaking Authority 456.079, 456.47(4), 456.47(7), 491.004(5) FS. Law Implemented 456.072, 456.079, 456.47(4), 491.009 FS. History–New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06, 4-6-10, 5-22-12, 12-7-17, \_\_\_\_\_.

64B4-5.0015 Out-of-State Telehealth Discipline

(1) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon out-of-state telehealth providers registered pursuant to section 456.47(4), F.S., for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated, and the full statute or rule cited should be consulted to determine the prohibited conduct.

|   | <u>MINIMUM</u>                                  | <u>MAXIMUM</u>  |
|---|---|---|
| <u>LICENSEES, REGISTERED INTERNS, AND CERTIFICATE HOLDERS</u> |   |   |
| <u>FIRST OFFENSE:</u>   | <u>\$250.00 fine, reprimand</u>                 | <u>\$500.00 fine, reprimand</u>                                     |
| <u>SECOND OFFENSE:</u>  | <u>\$500.00 fine and probation</u>              | <u>\$500.00 fine, suspension then probation</u>                     |
| <u>THIRD AND SUBSEQUENT OFFENSES:</u>                         | <u>\$750.00 fine, suspension then probation</u> | <u>\$1,000.00 fine and permanent revocation</u>                     |
| <u>TELEHEALTH REGISTRANTS</u>                                 |   |   |
| <u>FIRST OFFENSE</u>  | <u>Letter of Concern</u>                        | <u>Reprimand</u>  |
| <u>SECOND OFFENSE</u>   | <u>Suspension and a corrective action plan</u>  | <u>One (1) year suspension followed by a corrective action plan</u> |

| VIOLATION  | PENALTY RANGE  |   |
|--|--|---|
|  | FIRST VIOLATION  | SECOND AND SUBSEQUENT VIOLATIONS                      |
| 1. Fails to notify the applicable board, or the department if there is no board, of any adverse actions taken against his or her license.<br>(Section 456.47(4)(i), F.S.); | Letter of Concern to suspension and a corrective action plan | Suspension and a corrective action plan to revocation |
| 2. Has restrictions placed   | Letter of concern to   | Letter of concern to                                  |

|   |  |  |
|---|--|--|
| on or disciplinary action taken against his or her license in any state or jurisdiction. (Section 456.47(4)(i), F.S.) | revocation as closely as possible to same penalty as imposed in other jurisdiction | revocation as closely as possible to same penalty as imposed in other jurisdiction to revocation |
| 3. Violates any of the requirements of section 456.47, F.S. (Section 456.47(4)(i), F.S.)                              | Letter of Concern to suspension and a corrective action plan                       | Suspension and a corrective action plan to revocation  |
| 4. Commits any act that constitutes grounds for disciplinary action under s. 456.072(1), or s. 491.009(1), F.S.       | As stated in rule 64B4-5.001(1), F.A.C.  | As stated in rule 64B4-5.001(1), F.A.C.  |

(2) The range of disciplinary action for registered out-of-state telehealth providers shall be, in ascending order of severity, letter of concern, reprimand, suspension, and revocation.

(3) A suspension may be for a definite term or may be accompanied by a corrective action plan, as stated in rule 64B5-5.001(1), F.A.C.

(4) A suspension for a definite term may be terminated early only upon approval of the Board. A suspension accompanied by a corrective action plan may be lifted upon ~~successful~~—successful compliance ~~compliance~~ with the corrective action or otherwise determined by the Board.

(5) A “corrective action plan” must accompany a suspension and includes rehabilitative provisions established by the Board which are narrowly tailored to address the conduct which resulted in the underlying disciplinary violations. In order to satisfy a corrective action plan, the Registrant must provide proof of successful completion of all provisions to the Board. A corrective action plan may follow a suspension for a definite term and require continued suspension until successful compliance with the corrective action plan. Nothing in this paragraph shall be interpreted as restricting the Board’s ability to impose a suspension for a definite term absent or accompanied by a corrective action plan.

Rulemaking Authority 456.47(4), 456.47(7) FS. Law Implemented 456.47(4) FS. History—New

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-2  
RULE TITLE: Retailer Accountability

SUMMARY: This emergency rule sets forth the provisions relating to Florida Lottery retailer ticket and financial accountability. This rule is being updated to incorporate a revised form and is replacing Rule 53ER19-24.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

#### 53ER21-2 Retailer Accountability.

(1) Ticket Accountability. Each retailer shall be accountable for all online terminal game lottery tickets generated, all Scratch-Off game lottery tickets (also known as instant game lottery tickets) accepted, and all funds collected by the retailer for the sale of lottery tickets. The term “online terminal game” shall include Draw games and Fast Play games.

(a) Online Terminal Game Lottery Ticket Accountability. Each retailer is liable to the Florida Lottery (“Lottery”) for all online terminal game lottery tickets generated by any employee or representative of that retailer, less canceled online terminal game lottery tickets and online terminal game lottery tickets returned for adjustment credit. The adjustment credit criteria and procedures are set forth below.

1. A retailer may receive a sales adjustment credit under the following circumstances:

a. The online terminal game lottery ticket did not print and the transaction is marked with an asterisk (\*) on the Transaction History Report; provided the retailer mails the online terminal game Transaction History Report to the Lottery within thirty (30) days of the transaction date, or

b. The online terminal game lottery ticket misprints or is miscut and the dollar amount is visible and provided the retailer mails the online terminal game lottery ticket along with a Request for Adjustment Form DOL-493, revised 12/20, to the Lottery within thirty (30) days of the transaction date. Form DOL-493 is incorporated by reference and may be obtained from the Florida Lottery’s website at flalottery.com or from the

Florida Lottery's retailer website at [retailerwizard.flalottery.com](http://retailerwizard.flalottery.com).

2. A retailer may also receive adjustment credit under the following circumstances provided the retailer reports the issue to the Lottery within two (2) hours of the sale; before the game closes for the next available draw; or before the end of the gaming day, whichever occurs first (collectively the "reporting window").

a. The online terminal game lottery ticket did not print and the transaction is not marked with an asterisk (\*) on the Transaction History Report.

b. The online terminal game lottery ticket misprints or is miscut and the dollar amount is not visible, or

c. The online terminal game lottery ticket cannot be canceled by the terminal but nothing appears to be wrong with the ticket and the ticket barcode will not scan.

For the circumstances set forth in sub-subparagraphs (1)(a)2.b. and c., above, the retailer must mail the online terminal game lottery ticket to the Lottery within thirty (30) days of the transaction date.

3. The Lottery will approve adjustment credit requests submitted outside the reporting window for online terminal game lottery ticket transactions that occur during a documented system failure that impacts network communications and that is outside the retailer's control.

4. The mailing address for submission of sales adjustment documentation is: Florida Lottery, Games Administration, 250 Marriott Drive, Tallahassee, 32399-9939. Online terminal game lottery tickets submitted to the Florida Lottery for adjustment credit shall become the property of the Florida Lottery and shall not be returned to the retailer.

(b) Scratch-Off Game Lottery Ticket Accountability. Retailers shall accept books of Scratch-Off game lottery tickets for sale on a consignment basis in accordance with the Lottery's inventory management system.

1. A retailer may receive a sales adjustment credit under the following circumstances:

a. A ticket is miscut while dispensing from a vending machine and the ticket is not saleable. The play area on the front of the ticket must not be scratched off for credit to be considered. The retailer submitting the ticket for adjustment must be the owner of the book.

b. A ticket has a quality control issue such as non-scratchable latex.

2. Scratch-Off game lottery tickets submitted to the Florida Lottery for adjustment credit shall become the property of the Florida Lottery and shall not be returned to the retailer.

3. Books of Scratch-Off game lottery tickets accepted by a retailer shall be settled for payment by one of the following three methods:

a. Settlement by the retailer,

b. Automatic settlement to occur as established by the Lottery within a maximum of ninety (90) days after a book has been activated for sale or after ninety percent (90%) of low-tier prizes have been redeemed, whichever occurs first, except as set forth in subparagraph (2)(g)3., below, or

c. Settlement of books by a Lottery representative during inventory management because books are no longer in the retailer's onsite inventory.

4. A complete inspection of all Scratch-Off game lottery ticket inventory will be conducted by a Lottery representative at least once per quarter. During such inventory, books in a "received" status on the inventory management system that are not physically present at the retail location will be reported as missing and the retailer will be charged fifty percent (50%) of the sales value of the book, less sales commission. Books in an "active" status on the inventory management system that are not physically present at the location will be settled.

(2) Financial Accountability.

(a) Each retailer shall maintain an open commercial bank account for all amounts collected from ticket sales until such amounts have been collected by the Lottery. All amounts received by each retailer from the operation of the Lottery, less the amount retained as compensation for the sale and cashing of tickets and the amount paid out as prizes, shall be held in a bank account prior to collection by the Lottery on the designated day of collection.

(b) The amount owed by a retailer to the Lottery will be electronically transferred from the retailer's bank account to the Lottery on a designated day each week. If the transfer is unsuccessful due to insufficient funds, a second attempt will automatically be made.

(c) A retailer is authorized to use its commercial bank account or a separate commercial bank account for lottery purposes.

(d) A retailer shall notify the Lottery of a change in its bank account at least six (6) days in advance of such change becoming effective.

(e) A retailer shall maintain its bank account for a minimum of thirty (30) days after the termination date of its retailer contract.

(f) Each retailer shall complete form DOL-103, Electronic Fund Transfer Authorization Form, revised 07/13 and return the form to the Lottery at the time of application or in advance of a bank account change. Form DOL-103 is incorporated herein by reference and may be obtained from the Florida Lottery's website at [flalottery.com](http://flalottery.com) or the Florida Lottery's retailer website at [retailerwizard.flalottery.com](http://retailerwizard.flalottery.com). The form authorizes the Lottery to debit or credit the retailer's bank account through electronic funds transfers.

(g) The following procedures apply to Electronic Funds Transfer (EFT) delinquencies:

1. For purposes of this rule, an Electronic Funds Transfer delinquency is defined as an unsuccessful attempt to electronically transfer funds from a retailer's bank account to the Lottery in payment of the retailer's weekly settlement activity. If both the first and second weekly attempts to transfer funds fail, the failures together shall count as only one delinquency.

2. For all delinquencies, the retailer's ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets shall be suspended.

3. For a first or second delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges prior to reactivation of its ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets. Upon the occurrence of a second delinquency, the automatic book settlement period established in sub-subparagraph (1)(b)3.b., above, will be shortened to a timeframe established by the Lottery for a minimum of six (6) months. The retailer's collection activity will be reviewed during the first January or July occurring after the expiration of six (6) months from the date of delinquency. If the retailer has incurred no additional delinquencies during that time, the automatic book settlement period will revert to the established pre-delinquency automatic book settlement period. If the retailer incurs additional delinquencies while in the shortened book settlement period and the retailer's contract is not terminated, the shortened book settlement period will remain in effect, and the retailer's account will be reviewed at the next scheduled review period.

4. For a third delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges and post a certificate of deposit or performance bond with the Florida Lottery prior to reactivation of its ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets. The amount of the security shall not exceed twice the retailer's average weekly ticket sales as determined by the Lottery.

5. For a fourth delinquency in a twelve-month period, a review of the retailer account will be performed by the Lottery to determine if the retailer's contract will be terminated. In making its determination, the Lottery will review factors such as the retailer's Lottery accounts receivable transactions and Lottery sales history. If the retailer contract is not terminated and the amount of the retailer's posted security is less than the statutorily authorized maximum of twice the retailer's average weekly ticket sales, the Lottery will increase the amount of the required security to the maximum amount.

6. The Lottery is authorized to terminate a retailer's contract prior to a fourth delinquency in a twelve-month period if the Lottery determines that such action is necessary in order to protect the state's financial interests.

7. For purposes of calculating the number of delinquencies occurring in a twelve-month period, an unsuccessful transfer on the first weekly attempt will not be counted as a separate delinquency if the transfer on the second weekly attempt is successful.

8. For each delinquency, the retailer shall be assessed a non-refundable service charge of fifteen dollars per incident or five percent of the amount due per incident, whichever is greater, up to a maximum of one hundred-fifty dollars. The Lottery will assess only one service fee to retailer chain accounts that use the same bank account for all stores. The assessed fee shall be five percent of the total amount due for all locations up to a maximum of one hundred-fifty dollars. Payment of the delinquent settlement amount and any applicable service charges is due immediately from the retailer and prior to online terminal game sales and the ability to order Scratch-Off game lottery tickets being reinstated.

9. An unsuccessful transfer on the first weekly attempt will not result in assessment of a service charge if the second weekly attempt is successful. Only one service charge will be assessed if both the first and second attempts are unsuccessful.

10. If the Lottery determines that it is in its best financial interest, taking into consideration factors such as the amount of the delinquency and the length of time the delinquency and/or service charges are outstanding, the Lottery district office will be instructed to settle the sold Scratch-Off tickets and pick up any remaining Scratch-Off ticket inventory. A retailer's access to computerized Lottery transactions will be limited to redeeming winning tickets and printing reports until Lottery Headquarters has received notification of payment in full.

11. To satisfy an EFT delinquency, the retailer may:

a. Deposit a Cashier's check or money order made payable to the Florida Lottery into a specified Lottery bank account,

b. Wire transfer the funds into a specified Lottery bank account, or

c. Deliver a Cashier's check or money order to a Lottery office.

12. The Lottery will accept a prepayment for the settlement amount if the prepayment is received by the Lottery prior to 5:00 p.m. (Eastern Time) on the day before the EFT would normally occur. A service charge will not be applied to the first three (3) prepayments made by a retailer in a twelve-month period, nor will the first three (3) prepayments be counted as a delinquency against the retailer; however, retailers who make more than three (3) prepayments in a twelve-month period will be assessed a service charge as described in subparagraph (2)(g)8., above, for each additional prepayment. The Lottery will waive the service charge upon a showing of good cause by a retailer, e.g., the circumstances necessitating prepayment are attributable to the retailer's bank or to the Lottery. Failure by the Lottery to impose a service charge does not constitute a

waiver of its right to impose a service charge for any subsequent prepayment.

13. The Lottery will actively pursue collection of all delinquencies that are not paid through the process described above.

(3) The effective date of this emergency rule is January 6, 2021.

(4) This emergency rule replaces Emergency Rule 53ER19-24, F.A.C.

Rulemaking Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(1), (11), 24.114 FS. History—New 1-6-21, Replaces 53ER19-24.

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

EFFECTIVE DATE: January 6, 2021.

#### DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:  
53ER21-3 Payment of Prizes

SUMMARY: This emergency rule sets forth the provisions for the payment of prizes and is updating existing winner claim forms and adding new winner claim forms. This emergency rule replaces Rule 53ER20-77.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

##### 53ER21-3 Payment of Prizes.

(1) GENERAL. To be eligible to receive a prize, all requirements established by the Florida Lottery to validate the prize claim for a winning ticket must be met. Upon determination of such requirements being met, payment shall be made in accordance with the applicable provisions of this rule, the applicable Lottery game rule, and federal and state law.

(2) CLAIMING PRIZES. For purposes of this rule, the provisions for claiming a prize as set forth in paragraph 24.115(1)(f), Florida Statutes, will be deemed satisfied upon the claimant meeting the following requirements:

##### (a) Draw Game Prizes.

1. For Draw game prizes, the claimant must submit the winning Draw game lottery ticket for validation at a Florida Lottery (or "Lottery") office or retailer on or before the 180th calendar day after the winning drawing. Winning Draw game lottery tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 180th calendar day after the winning drawing.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated winning Draw game lottery ticket, along with the documents specified in paragraph (9)(c), for prize payment at a Lottery office on or before the 210th calendar day after the winning drawing. If the claimant chooses to submit the validated winning Draw game lottery ticket for prize payment by mail, the ticket and all required documents must be sent to the Lottery's prize payment address and received by the Lottery on or before the 210th calendar day after the winning drawing. Failure of a claimant to submit all required documentation, and receipt by the Lottery thereof, on or before the 210th calendar day after the winning drawing shall result in forfeiture of the prize.

##### (b) Instant-Win Game Prizes.

For purposes of this rule, the term "instant-win game" shall include Scratch-Off games and Fast Play games.

1. For instant-win game prizes, the claimant must submit the winning instant-win ticket for validation at a Lottery office or retailer on or before the 60th calendar day after the official end of the game. Winning instant-win tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 60th calendar day after the official end of the game.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated instant-win winning ticket, along with the documents specified in paragraph (9)(c), for prize payment at a Lottery office on or before the 90th calendar day after the official end of the game. If the claimant chooses to submit the validated instant-win winning ticket for prize payment by mail, the ticket and all required documents must be sent to the Lottery's prize payment address and received by the Lottery on or before the 90th calendar day after the official end of the game. Failure of a claimant to submit all required documentation, and receipt by the Lottery thereof, on or before the 90th calendar day after the official end of the game shall result in forfeiture of the prize.

##### (3) TICKET SUBMISSION AND PAYMENT.

(a) A claimant must submit for validation an original winning ticket or an original winning continuation ticket, if issued, to the Lottery or to a retailer to claim a prize, except as provided below.

(b) No Original Winning Ticket or Original Winning Continuation Ticket- Actions Attributable to Retailer or Gaming System.

If a claimant does not submit an original winning ticket or an original winning continuation ticket but makes a claim for prize payment based upon: (i) presentment of an original player claim instructions ticket produced from validation of an original winning ticket or an original continuation ticket; or (ii) presentment of an original Advance Play winning ticket that has

been recorded as “paid” in the Lottery’s gaming system as the result of the issuance of a continuation ticket, an investigation will be conducted. If the investigation concludes that the absence of the original ticket or original continuation ticket, as applicable, is attributable to the actions of a retailer or the gaming system, payment will be made following conclusion of the investigation in accordance with the applicable payment provision herein, provided the original winning ticket or original continuation ticket is not submitted prior to conclusion of the investigation. If the original winning ticket or original continuation ticket is submitted prior to conclusion of the investigation, a subsequent investigation will be conducted to determine to whom payment should be made, if anyone.

(c) No Original Winning Ticket or Original Winning Continuation Ticket- Other Actions Not Attributable to Retailer or Gaming System.

If a claimant does not submit an original winning ticket or an original winning continuation ticket but makes a claim or prize payment based upon: (i) presentment of an original player claim instructions ticket produced from validation of an original winning ticket or an original continuation ticket; or (ii) presentment of an original Advance Play winning ticket that has been recorded as “paid” in the Lottery’s gaming system as the result of the issuance of a continuation ticket, but the continuation ticket is not submitted, an investigation will be conducted. If the investigation concludes that the absence of the original winning ticket or original winning continuation ticket, as applicable, is not attributable to the actions of a retailer or the gaming system but is attributable to other actions (e.g. fault of player) and that the available evidence demonstrates the claimant’s entitlement to the prize, payment will be made as set forth in subparagraph (3)(c). 1 and 2. and in accordance with any other applicable payment provision herein, provided the original winning ticket or original continuation ticket is not submitted prior to the expiration of the time periods set forth below. If the original winning ticket or original continuation ticket is submitted prior to expiration of the time periods set forth below, a subsequent investigation will be conducted to determine to whom payment should be made, if anyone.

1. For winning Draw game tickets, payment will be made following expiration of 210 days after the winning draw date, provided that payment for the original winning ticket or original continuation ticket is not made sooner.

2. For winning instant-win tickets, payment for prizes valued at \$600 through \$1,000 will be made following expiration of 180 days from the date the claim was filed or following expiration of 90 days after the official end of the game, whichever occurs first, provided that payment for the original winning ticket is not made sooner. Payment for tickets valued at greater than \$1,000 will be made following expiration

of 90 days after the official end of the game, provided payment for the original winning ticket is not made sooner.

(d) No photographs, copies, facsimiles or other images in any form or in any medium will be accepted under (3)(b) or (c) in lieu of an original player claim instructions ticket or an original Advance Play winning ticket that has been recorded as “paid” in the Lottery’s gaming system as the result of the issuance of a continuation ticket.

(4) TICKET VALIDATION. An original ticket or an original continuation ticket shall be the only proof of game play and the submission of an original winning ticket or original winning continuation ticket to the Florida Lottery shall be the sole method of claiming a prize, except as otherwise provided in paragraphs (3)(b) and (c). A play slip (paper or digital), digital barcode, digital ticket checker data, or other digital data stored on a player’s mobile device shall not constitute evidence of game play, ticket purchase, numbers selected, or evidence of a winning ticket and cannot be used to claim a prize. No photographs, copies, facsimiles or other images in any form or in any medium will be accepted in lieu of an original ticket or an original continuation ticket. All online terminal game tickets must meet the validation requirements set forth in paragraph (4)(a), and where applicable, the additional validation requirements set forth in the current rules governing POWERBALL<sup>®</sup>, MEGA MILLIONS<sup>®</sup> and CASH4LIFE<sup>®</sup>. A copy of the current Florida Lottery’s POWERBALL, MEGA MILLIONS and CASH4LIFE rules can be obtained from the Florida Lottery’s website at flalottery.com. All Scratch-Off game tickets must meet the validation requirements set forth in paragraphs (4)(b).

(a) Online Terminal Game Ticket Validation.

For purposes of this rule, the term “online terminal game” shall include Draw games and Fast Play games.

1. In order to be a valid winning online terminal game lottery ticket, the ticket must be identifiable as a Florida Lottery ticket and have either a complete, legible Transaction Serial Number (“TSN”) or a readable bar code. To the extent that a ticket is not identifiable as a Florida Lottery ticket or does not have a TSN or bar code, the ticket will be invalid. The Lottery will not attempt to reconstruct any tickets received in multiple pieces.

2. The ticket must not be counterfeit in whole or in part.

3. The TSN of an apparent winning ticket must validate on the Lottery’s gaming system and must not have been previously paid.

4. The ticket must not have been stolen.

5. The ticket must have been issued by an authorized Lottery retailer or dispensed from a Lottery full-service vending machine on official paper stock of the Lottery.

6. The ticket must pass any additional validation tests determined necessary by the Lottery.

7. Any ticket not meeting the criteria set forth in subparagraphs (4)(a)1. through 6. is ineligible for any prize and shall not be paid as a winning ticket. In the event a defective ticket is purchased, the only responsibility or liability of the Lottery shall be the replacement of the defective ticket with an un-played ticket or tickets of equivalent sales price from a current Lottery game, or refund of the retail sales price.

(b) Scratch-Off Game Ticket Validation.

1. In order to be a valid winning Scratch-Off lottery ticket, the ticket must be identifiable as a Florida Lottery ticket and have either a complete, legible validation number (sometimes referred to as "Void If Removed Number" or "VIRN"), or a readable bar code.

2. The ticket must not be counterfeit in whole or in part.

3. The validation elements must not be altered or tampered with in any manner.

4. The ticket must not appear on any list of omitted ticket stock on file at the Lottery.

5. The ticket must not have been stolen.

6. The ticket must have been issued to a retailer by the Lottery in an authorized manner.

7. The validation number of an apparent winning ticket must validate on the Lottery's gaming system and must not have been previously paid.

8. The validation elements of a ticket must not be misprinted or illegible.

9. The ticket must pass any additional validation tests determined necessary by the Lottery.

10. Any ticket not meeting the criteria set forth in subparagraphs (4)(b)1. through 9. is ineligible for any prize and shall not be paid as a winning ticket. In the event a defective ticket is purchased, the only responsibility or liability of the Lottery shall be the replacement of the defective ticket with an un-played ticket or tickets of equivalent sales price from a current Lottery game, or refund of the retail sales price.

(5) DETERMINATION OF PRIZEWINNER. The person to whom payment will be made for winning tickets submitted to the Lottery shall be determined as follows:

(a) If only one name appears on the back of the ticket, payment will be made to that person or entity.

(b) For tickets mailed to the Lottery for prize payment with a blank or incomplete player information section, data from the Winner Claim Form, if any, player correspondence, or the mailing envelope, in that order, shall be used to supplement the information.

(c) Scratch-Off tickets. If more than one name appears on the back of a Scratch-Off ticket, payment shall be made to the person whose name appears first on the line designated for the name.

(d) Online terminal game tickets.

1. If one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section that is completed.

2. If one player information section is partially filled out and another player information section is completely filled out, payment will be made to the person whose name appears on the name line in the completely filled out player information section.

3. If more than one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket.

4. If no player information section is completely filled out and more than one name appears on the back of the ticket, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket in which a name is present.

(e) If the name on the back of a ticket is that of a trust, corporation or other legal entity, payment shall be made to the trust, corporation or other legal entity. For those tickets valued at \$600 or more, no payment shall be made to a legal entity until the Lottery has received a copy of the entity's organizational documents which set forth the names of all shareholders, partners, beneficiaries, or other persons ultimately entitled to receive Lottery winnings. The legal entity must also submit evidence, satisfactory to the Lottery, confirming the Social Security numbers of all the shareholders, partners, beneficiaries, or other persons ultimately entitled to receive Lottery winnings.

(f) An individual claimant whose name appears on the back of a ticket when the ticket is presented to the Lottery may claim a prize on that ticket in a different name only if all of the following conditions are met:

1. The claimant would otherwise be determined a prizewinner under paragraphs (5)(a) through (e);

2. The claimant desires for payment to be made to a non-individual entity instead of to himself;

3. The claimant can provide evidence satisfactory to the Lottery that the claimant has the necessary authority to make a claim on behalf of the non-individual entity; and

4. The claimant adds the name of the non-individual entity, and the claimant's title within that entity, to the back of the ticket.

(g) For tickets valued at less than \$600, payment to the person determined in accordance with the applicable provisions in paragraphs (5)(a) through (e) shall be made in the prizewinner's name as it appears on the back of the winning ticket. For tickets valued at \$600 or more, payment shall be made in the prizewinner's name as it appears on the Winner Claim Form as described in paragraph (9)(c).

(h) If the back of a ticket valued at \$600 or more is altered, defaced, or contains erasures, correction fluid, overwriting, or obliteration in the line designated for a name, an investigation will be conducted to determine to whom payment should be made, if anyone, in accordance with paragraphs (5)(c), (d) and (e). As a part of the investigation, the claimant shall be required to complete form DOL-419, Security Affidavit, Revised 10/20, or form DOL-419S Spanish Security Affidavit, Revised 10/20 and provide an explanation of the circumstances surrounding his or her claim for the ticket. Forms DOL-419 and DOL-419S are incorporated herein by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Division of Security, 250 Marriott Drive, Tallahassee, Florida 32301. If the ticket is valued at less than \$600, payment will be made to the person submitting the ticket for payment.

(i) If the Lottery is presented with undisputed information that payment of a prize as provided in paragraphs (5)(a) through (e) would result in payment to a person or entity who has no claim to the ticket, the Lottery will make payment to the person or entity it determines to be the rightful claimant. This paragraph shall not apply if the person submitting the claim for payment is determined to owe an outstanding debt to a state agency, child support collected through a court, or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes.

(j) If the Lottery receives notification of a dispute of ownership of a specific ticket prior to prize payment, an investigation will be conducted to determine to whom payment should be made, if anyone.

(k) Any claimant with a winning ticket valued at \$600 or more, and any person whose name appears on an Internal Revenue Service Form 5754 filed by a claimant and whose portion of a prize is \$600 or more, will be analyzed for state-owed debt. All persons ultimately entitled to receive Lottery winnings from a claim valued at \$600 or more filed by a legal entity, other than a corporation whose shares are publicly traded, will be analyzed for state-owed debt. If such claimant or other person is identified as owing an outstanding debt to a state agency or owing child support collected through a court or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes, following deduction of federal income tax withholding, the remaining prize amount will be allocated as follows:

1. If the debt is owed by the claimant and an Internal Revenue Service Form 5754 is not filed at the time the claim is submitted, an amount sufficient to cover the amount owed, up to the total remaining prize amount, will be transferred to the state agency owed the debt. Any monies remaining after federal income tax withholding and after the debt is offset will be paid to the claimant.

2. If the debt is of a claimant who submits an Internal Revenue Service Form 5754 at the time of filing the claim, or of a person whose name appears on an Internal Revenue Service Form 5754 or who is entitled to receive Lottery winnings claimed by a legal entity, an amount sufficient to cover the claimant's or other person's debt, but not to exceed his or her percentage interest in the prize or entity, will be transferred to the state agency owed the debt. The monies remaining will be paid to the prizewinner and any other persons entitled to receive a portion of the Lottery winnings.

(6) PAYMENT TO ONE PERSON OR ENTITY. Regardless of how many persons or entities claim an ownership interest in a winning ticket; payment will be made to only one person or entity. For winning tickets valued at \$600 or more, a winner may submit an Internal Revenue Service Form 5754, *Statement by Person(s) Receiving Gambling Winnings*, Revised 12/08, if more than one person or a person other than the claimant is entitled to the prize winnings. The completed form must be submitted to the Lottery together with the ticket and Winner Claim Form. The Internal Revenue Service Form 5754 is incorporated by reference and may be obtained at any Lottery office, by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or from the Internal Revenue Service.

(7) WINNING TICKET VALUE DETERMINATION FOR PURPOSES OF PAYMENT AND CLAIMING.

The value of a winning ticket is determined by totaling all prizes won on a ticket and, as applicable, in accordance with the applicable provisions set forth in subsections (11), (12) (14) and (15).

(8) WINNING TICKETS VALUED AT LESS THAN \$600.

Payment of any winning ticket valued at less than \$600 that is submitted to a Lottery retailer, Lottery district office or Lottery Headquarters shall be made to the claimant upon successful ticket validation. Upon request by the Lottery, the claimant shall file a Winner Claim Form in accordance with the provisions set forth in paragraph (9)(c) below.

(a) Payment by Retailers.

1. Winning tickets valued at \$50 or less that are submitted to a retailer shall be paid in cash by the retailer unless it is impossible or impracticable to do so due to a company or store policy which, for safety or security reasons, limits the amount of cash available to the clerk; or an applicable local government ordinance limits the amount of cash available to the clerk. In such case, the retailer will make payment by check or money order.

2. Winning tickets with a value greater than \$50 but less than \$600 that are submitted to a retailer shall be paid by cash, check, or money order.

3. No charge or fee shall be imposed by a retailer on a player for paying a winning ticket by cash or check. Additionally, no charge or fee shall be imposed by a retailer on a player for a money order when it is the sole method of payment made available by the retailer.

(b) Payment by the Lottery.

1. Winning tickets valued at \$200 or less that are presented to a Lottery district office will be paid by cash, check or issued lottery tickets.

2. Winning tickets valued at more than \$200 that are submitted to a Lottery district office shall be paid by check and/or issued lottery tickets or, paid a maximum of \$200 in cash and the balance of the prize paid by check and/or issued lottery tickets at the prizewinner's option.

3. Winning tickets valued at less than \$600 that are submitted to Lottery Headquarters for payment shall be paid by check.

4. A player who submits a winning ticket valued at less than \$600 in person to a Lottery district office for payment by check shall be required to present identification as set forth in paragraph (10)(d) or (e). The identification is required to ensure proper check distribution.

(9) WINNING TICKETS VALUED AT \$600 OR MORE.

(a) Payment of winning tickets valued at \$600 or more shall be made only by a Lottery office. Payment of winning tickets valued at \$600 or more cannot be made by a retailer.

(b) A player may submit a winning ticket valued at \$600 or more to any Lottery retailer or Lottery office for ticket validation. If a winning ticket valued at \$600 or more is validated at a retailer location, the player shall retain the original ticket and any player claim instructions ticket produced by the retailer terminal to submit with his or her claim to a Lottery office for prize payment processing. If the winning ticket produces a continuation ticket for future drawings, the player shall also retain the continuation ticket in addition to the original ticket and player claim instructions ticket.

(c) After successful validation of a winning ticket, the player shall file a claim by submitting to the Lottery a completed Winner Claim Form DOL 173-2, Revised 1/21, Spanish Winner Claim Form DOL 173-2S, Revised 1/21, Winner Claim Form- Entity DOL 173-2E, Effective 1/21, or Spanish Winner Claim Form- Entity, DOL 172-2SE, Effective 1/21 along with the ticket(s) as set forth in subsection (3) and the identification described in paragraph (10)(d) or (e) below. The Winner Claim Forms are incorporated herein by reference and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at flalottery.com, or by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. Claims may be submitted in person to any Lottery district office or to Lottery Headquarters,

or submitted by mail to Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(d) Winning tickets valued at \$600 through \$250,000 that are submitted to a Lottery district office shall be paid by check and in accordance with the applicable payment provisions herein, except that winning tickets valued in excess of \$50,000 may be paid by wire or electronic funds transfer. POWERBALL and MEGA MILLIONS winning tickets valued at up to \$1,000,000 may be presented at a Lottery district office or submitted by mail to Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-9939. All other winning tickets valued at greater than \$250,000 must be presented at Lottery Headquarters for payment, except as follows. If the Lottery determines, in its sole discretion, that travel by the prizewinner to Lottery Headquarters would be a hardship to the prizewinner, the prizewinner may present the claim documents to a Lottery District Office for forwarding to Lottery Headquarters for processing. Such determination will be made on a case by case basis.

(e) Winning tickets valued at \$600 or more that are submitted to Lottery Headquarters shall be paid as follows and in accordance with the applicable payment provisions herein:

1. If the ticket value is \$600 through \$50,000, payment shall be made by check.

2. If the ticket value is greater than \$50,000, payment shall be made by check or wire or electronic funds transfer at the prizewinner's option. In addition to the Winner Claim Form, prizewinners for such prizes shall be required to complete form DOL-416 Method of Prize Payment, Revised 4/18 or DOL-416S Method of Prize Payment (Spanish version), Effective 7/20 at the time the prize is claimed. Forms DOL-416 and DOL-416S are incorporated herein by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(10) PRESENTATION OF IDENTIFICATION.

(a) A claimant who presents a winning ticket valued at \$600 or more will be required to present acceptable identification as detailed in paragraphs (10)(d) and (e) below in order to claim the prize. The Lottery shall be permitted to make a photocopy of such identification for its records. The Lottery reserves the right to require proof of authenticity for such photocopies. The name on the identification presented to the Lottery must match the name on the back of the winning ticket. If the name on the back of the ticket and the identification presented do not match, the Lottery may request another form of identification listed below or request additional information to use in making its payment determination. The Lottery reserves the right to require proof of authenticity for such photocopies.

(b) If the claimant is a non-individual legal entity, an authorized representative shall submit proof of the legal entity existence. Authorized representatives shall include, but not be limited to shareholders, officers, board members or members of a closely held corporation; members of a limited liability company "LLC"; trustee of a trust; or partner of any legal form of partnership. Any authorized representative must show proof of his or her authority to act on behalf of the legal entity and present required identification as detailed in paragraphs (10)(d) and (e) below. Additionally, a legal entity claiming a prize must complete Form DOL-492, Payment of Prizes - Legal Entity Disclosure Affidavit, Revised 10//20, or DOL-492S Payment of Prizes - Legal Entity Disclosure Affidavit, (Spanish version) Revised 10//20 to identify each person entitled to benefit from the prize. Form DOL-492 is hereby incorporated by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(c) An agent may present a Power of Attorney to claim a prize on behalf of a winner. If a prize is being claimed on behalf of a winner, pursuant to a Power of Attorney, the agent or shall be required to execute an Affidavit, substantially in the form provided in Section 709.2119(2)(c), Florida Statutes, in support of claiming a winning ticket. No Power of Attorney is effective after the death of a winner.

(d) For winning tickets valued at \$600 or more that do not require a notarized affidavit, one form of identification is required that is current or was issued within the past five years and bears a serial or other identifying number. Acceptable forms of identification include the following:

1. A Florida identification card or driver's license issued by the public agency authorized to issue driver's licenses;
2. A passport issued by the Department of State of the United States;
3. A passport issued by a foreign government;
4. A driver's license or an identification card issued by a public agency authorized to issue driver's licenses in a state other than Florida, a territory of the United States, or Canada or Mexico;
5. An identification card issued by any branch of the armed forces of the United States; or
6. An identification card issued by the United States Bureau of Citizenship and Immigration Services; or
7. Another form of identification authorized for use by notaries public in Section 117.05 (5)(b)2., Florida Statutes.

(e) For winning tickets valued at \$600 or more that require a notarized affidavit, the forms of identification listed in paragraph (10)(d) are also acceptable, except that, if a passport issued by a foreign government is presented as identification, it must be stamped by the United States Bureau of Citizenship and Immigration Services.

(f) If a claimant is unable to produce one of the acceptable forms of identification identified in paragraphs (10)(d) and (e), the Lottery will accept as satisfactory evidence of the claimant's identity a completed Affidavit to Establish Identity form, DOL-483, Revised 10/20 or a completed Spanish Affidavit to Establish Identity form DOL-483S, Revised 10/20. Forms DOL-483 and DOL-483S are incorporated herein by reference and may be obtained at any Lottery office or by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(g) A photocopy of required identification shall accompany claims valued at \$600 or more that are submitted by mail. The Lottery reserves the right to require proof of authenticity for such photocopies.

(11) PAYMENT OF DRAW GAME MULTI-PANEL TICKETS. For purposes of this rule, a Draw game multi-panel ticket is defined as a ticket with more than one panel played for a single draw date

(a) A winning Draw game multi-panel ticket in which more than one prize is won and the total prize value is less than \$600 shall be paid as one amount by Lottery retailers or a Lottery office upon successful ticket validation.

(b) A winning Draw game multi-panel ticket that has more than one prize won, and the total prize value is \$600 or more shall be claimed at a Lottery office and paid as one amount upon successful ticket validation.

(c) Additional payment provisions applicable only to a winning Draw game multi-panel ticket that includes one or more cash prizes and a prize of one or more free Quick Pick tickets are as follows:

1. The value of each free Quick Pick ticket on a multi-panel ticket shall be included in the total prize value of the multi-panel ticket. The value of the free Quick Pick ticket is the selling price for a single play of the same type of Draw game in which the free ticket was won. For Example, a FLORIDA LOTTO® free ticket is valued at \$2.00 and a FANTASY 5® free ticket is valued at \$1.00.

2. A Draw game multi-panel ticket that has more than one prize won and a total prize value, including the value of each free Quick Pick ticket won, of less than \$600 shall be paid by Lottery retailers or a Lottery office upon successful ticket validation. The prizewinner shall be paid the total cash amount of the prize or prizes won and given a ticket with one free Quick Pick play for the next available drawing for the same Draw game in which the prize was won, for each free Quick Pick ticket prize.

3. Draw game multi-panel tickets with a total prize value of \$600 or more that include one or more cash prizes and a prize of one or more free Quick Pick tickets shall be claimed at a Lottery office. Retailer locations are unable to print free Quick

Pick tickets that are part of a claim with a total value of \$600 or more.

a. If the claim is submitted to a Lottery office in person and the Draw game multi-panel ticket is successfully validated, the Lottery will pay the prizewinner the total cash amount of the prize or prizes won and give the claimant one free Quick Pick ticket for the next available drawing for the same Draw game in which the prize was won for each free Quick Pick ticket prize.

b. If the claim is submitted by mail to a Lottery office and the Draw game multi-panel ticket is successfully validated, the Lottery will pay the total cash amount of the prize or prizes won and, if the prizewinner's address is in Florida, print one free Quick Pick ticket for the next available drawing of the same Draw game in which the prize was won for each free Quick Pick ticket prize. The payment and the free ticket(s) shall be mailed to the prizewinner by the Lottery, except as set forth in paragraph (13)(b).

c. If the prizewinner is identified as owing an outstanding debt as set forth in paragraph (5)(k), in an amount less than the total of the cash amount of the prize or prizes won net of any federal income tax withholding, the free ticket(s) and the amount owed to the prizewinner after federal income tax has been withheld and his or her debt is satisfied shall be awarded. If the prizewinner is identified as owing an outstanding debt in an amount greater than the total cash amount of the prize or prizes won net of any federal income tax withholding, the total cash amount of the prize remaining after federal income tax has been withheld will be applied toward the outstanding debt as provided in subsection 24.115(4), Florida Statutes, and the claimant will receive the free ticket(s).

(12) PAYMENT FOR DRAW GAME FREE TICKET PRIZES.

(a) Florida Claimants. A person who submits by mail a lottery ticket that entitles the claimant to a prize of a "ticket" or "free ticket" and whose mailing address is inside the state of Florida will be mailed a prize of a ticket in accordance with the following provision. If the prize is a free Quick Pick ticket, the claimant will receive a free Quick Pick ticket, for the same Draw game in which the prize was won, for the next drawing after the ticket is validated; or if the free ticket is part of a Draw game multi-panel ticket, the claimant will receive prize payment in accordance with the provisions of subsection (11).

(b) Claimants Outside Florida. A person who submits by mail a lottery ticket that entitles the claimant to a prize of a "ticket" or "free ticket" and whose mailing address is outside the state of Florida will receive a check in the amount of the retail sales price of the ticket in lieu of an actual ticket.

(13) PAYMENT FOR ADVANCE PLAY TICKET PRIZES.

(a) Florida Claimants. A claimant who claims a prize through a retailer or the Lottery on a winning Advance Play lottery ticket before all the drawings on the ticket have occurred will be paid the prize for the original ticket and issued a continuation ticket for the remaining drawings with the same play numbers as the original ticket. The original ticket will be recorded as "paid" in the gaming system and the continuation ticket automatically issued for the claimant shall be the instrument from which claims on remaining drawings are paid.

1. Payment of Multiple Prizes on Advance Play tickets.

a. A claimant who claims multiple prizes on a winning Advance Play lottery ticket for some or all the drawings that have occurred and the total prize value for all prizes won in all the drawings that have occurred is less than \$600 will be paid the prizes as one amount by a Lottery retailer or a Lottery office upon successful ticket validation and, if applicable, issued a continuation ticket in accordance with paragraph (13)(a).

b. A claimant who claims multiple prizes on a winning Advance Play lottery ticket for some or all of the drawings that have occurred and the total prize value for all prizes won in the drawings that have occurred is \$600 or more must be paid by a Lottery office. In such case, the prizes won will be paid as one amount upon successful ticket validation. However, applicable federal income tax will be withheld separately, if applicable, based on the individual value of the prize or prizes won in each drawing. Additionally, state-owed debt will be analyzed separately in accordance with the provisions in paragraph (5)(k) for each individual prize that is \$600 or more. If applicable, the claimant will be issued a continuation ticket in accordance with paragraph (13)(a).

(b) Claimants Outside of Florida. If a claimant whose mailing address is outside the state of Florida submits by mail an Advance Play lottery ticket that has drawings remaining that have not yet occurred, the Lottery will hold the claimant's Advance Play lottery ticket until all the drawings have occurred. The Lottery will then validate the Advance Play lottery ticket and mail the claimant one payment for the total amount of any prizes won. If an out-of-state claimant requests prize payment prior to the date of the last Advance Play drawing, the Lottery will validate the ticket, mail the claimant payment for the total amount of any prizes won as of the date of ticket validation, and issue and maintain possession of a continuation ticket for the remaining drawings. In either case, applicable federal income tax will be withheld separately, if applicable, based on the value of the prize or prizes won in each drawing. Additionally, if applicable, a claimant may be analyzed for state-owed debt up to two times based on the value of the prize or prizes won in each drawing.

(14) PAYMENT FOR FLORIDA LOTTO WITH DOUBLE PLAY™ TICKETS WITH MULTIPLE PRIZES. A claimant having a FLORIDA LOTTO with Double Play ticket

that wins one or more prizes in both Base Game play and Double Play play for the same drawing date shall be paid one prize amount for the total of all cash prizes won on the ticket, or if applicable, one prize amount and issued free ticket(s), or issued free tickets.

(15) PAYMENT FOR DRAW GAME TICKETS WITH EZMATCH™ AND ADDITIONAL PRIZE(S). For Draw games that offer the EZmatch instant-win option, any EZmatch prize(s) that is not claimed immediately, but rather after the first draw date on the ticket and prior to the 180-day expiration, and that is in addition to other winnings on the ticket shall be combined and paid as one prize amount, or if applicable, one prize amount and issued free ticket(s).

(16) ANNUAL PAYMENT OR CASH OPTION PAYMENT ELECTION. Certain games offer prizes in which the prizewinner may choose one of two payment options for receiving his or her prize. Payment options are “Cash Option” or “Annual Payment.” For Draw game prizes which offer a payment option, the prizewinner has sixty (60) calendar days after the date the winning ticket is validated to file a claim in order to choose the Cash Option. For instant-win game prizes which offer a payment option, the prizewinner has sixty (60) calendar days after the date the winning ticket is validated to file a claim in order to choose the Cash Option. If a prizewinner does not choose the Cash Option within the applicable sixty (60) day timeframe, the Annual Payment option will be applied. Once the prizewinner files a claim and exercises the prizewinner’s chosen option by execution of a notarized affidavit prepared by the Lottery, the election of that option shall be final. The Annual Payment method of payment will also be final when it is applied due to a prizewinner not making his or her payment election within the sixty (60) day timeframe.

(17) LIFE-CONTINGENT PRIZE PAYMENTS.

(a) Individual Claimed Life-Contingent Prize. Following the guaranteed 20-year period, starting with year 21, a Life-Contingent winner shall ensure that the Lottery receives an original notarized affidavit (or from the power of attorney, custodian or guardian, or medical provider for the winner) executed by the winner (or from the power of attorney, custodian or guardian, or medical provider for the winner) stating that he or she is still living and shall include a current address and telephone number for the winner. Except in the case of the winner, neither the maker and/or executor of the affidavit shall have a financial, pecuniary, or other interest in the winnings. The Lottery reserves the right to verify the authenticity and accuracy of the affidavit, including confirming the winner is alive. Such affidavit shall be executed and received by the Lottery within the 14-calendar day period prior to the issuance of payment to the winner. An affidavit showing proof of life shall be required for each and every year thereafter.

(b) Individual Claimed Life-Contingent Prize – Assignment. Should a life-contingent prize winner, who is receiving annual payments, assign any year or years beyond the guaranteed 20-year period, the Assignee shall ensure that the Lottery receives an original notarized affidavit (or from the power of attorney, custodian or guardian, or medical provider for the winner) executed by the winner (or from the power of attorney, custodian or guardian, or medical provider for the winner) stating that he or she is still living and shall include a current address and telephone number for the winner. Neither the maker and/or executor of the affidavit shall have a financial, pecuniary, or other interest in the assigned winnings. The Lottery reserves the right to verify the authenticity and accuracy of the affidavit, including confirming the winner is alive. Such affidavit shall be executed and received by the Lottery within the 14-calendar day period prior to the issuance of payment to Assignee. An affidavit showing proof of life shall be required for each and every year of the time frame for which payments are assigned.

(c) Trust, Corporation or Other Legal Entity Claimed Life-Contingent Prize. The prize payment period for a trust, corporation or other legal entity that has claimed a life-contingent prize is fixed at twenty years. Accordingly, no payment beyond twenty years will be issued to an Assignee of a life-contingent prize claimed by a legal entity.

(18) PAYMENT AFTER DEATH OF PRIZEWINNER. If a prizewinner dies during the scheduled payment of a prize, the Lottery will make payment to the estate of the deceased prizewinner upon its receipt of a certified copy of the winner’s death certificate and a certified copy of the Letters of Administration or equivalent document establishing the personal representative or executor of the winner’s estate. Upon its receipt of a certified copy of a court order directing payment to identified persons or entities, the Lottery will make payment in accordance with the court order. Upon receipt by the Lottery of notification of the death of a prizewinner, including a prizewinner that signed his or her winning ticket but did not claim the prize or prizes prior to his or her death, no payment(s) will be made by the Lottery until it has received a certified copy of the winner’s death certificate and either a certified copy of the Letters of Administration or its equivalent or a court order as described above. Payment(s) withheld because appropriate documents have not been received will be subject to the provisions of Chapter 717, Florida Statutes, the “Florida Disposition of Unclaimed Property Act.”

(19) FEDERAL INCOME TAX WITHHOLDING. Applicable federal income tax shall be withheld from prizes in accordance with the Internal Revenue Code and Code of Federal Regulations, where applicable.

(20) CANCELED AND PREVIOUSLY PAID TICKETS. No payment shall be made upon a ticket submitted for payment

that is reflected in the Lottery's records as having been canceled or previously paid, except as provided in (3).

(21) DISCLOSURE OF SOURCE OF TICKET. The Lottery reserves the right to require the claimant of any winning ticket to disclose the source of the ticket.

(22) DISPUTES REGARDING THE AMOUNT OR VALIDITY OF TICKET.

(a) Players shall be instructed by a retailer or the Lottery to file a claim when any dispute arises between a player and a retailer regarding the amount or validity of an apparent winning ticket or when an apparent winning ticket will not validate using the terminal.

(b) In the event a dispute between the Lottery and a ticket bearer occurs as to whether a ticket is a valid winning ticket, or as to the prize amount of a valid winning ticket, the decision of the Lottery shall be final. If the prize is not paid on a disputed ticket and the basis for the dispute is attributable to the Lottery or its ticket vendor, the Lottery will replace the disputed ticket with an un-played ticket from the same game or with a ticket from another game of equivalent sales price. This shall be the sole and exclusive remedy of the bearer of the ticket.

(c) Final Payment Decision. The Lottery's decision and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery unless otherwise provided by law or these rules. In the event a question arises relative to a winning ticket, or the payment or awarding of any prize, the Lottery is authorized to:

1. Deposit the prize winnings into an escrow fund until the dispute is resolved; or

2. Petition a court of competent jurisdiction for instructions and a resolution of the controversy.

(23) PRIZE PAYMENT ADDRESS. The Lottery's prize payment address is Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4027.

(24) RISK OF MAILING TICKETS. A person who mails a winning ticket shall bear the risk that the U.S. Postal Service or other carrier may fail to timely postmark or deliver the ticket to the Lottery, or both.

(25) TICKETS IN A PROMOTION – NOT TO BE SUBMITTED BY MAIL. Persons may not submit tickets by mail for a promotion unless pursuant to written instructions from the Lottery. Any tickets submitted by mail for entry into a promotion will not be entered into a drawing for that promotion, nor returned.

(26) UNCLAIMED DRAW GAME AND INSTANT-WIN PRIZES. If a winning ticket is not submitted for validation within the applicable time period, or if a validated ticket is not submitted to the Lottery for prize payment within the applicable time period, the prize shall constitute an unclaimed prize and shall be distributed as required by law. Unclaimed Draw game

and Instant-Win prizes shall not be distributed to other winners within the same prize pool.

(27) PLAYER RESPONSIBILITY. It is a player's responsibility to verify the accuracy of his or her ticket selections before leaving the retailer, including verifying the number of tickets printed or requested.

(28) OTHER PROVISIONS.

(a) All tickets and Winner Claim Forms presented to the Lottery shall become the property of the Lottery.

(b) Information for claiming a prize can be obtained by writing the Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or by calling (850) 487-7777.

(c) Payment of winning tickets is subject to all other applicable statutes and rules.

(29) The effective date of this rule is January 6, 2021.

(30) This emergency rule replaces Emergency Rule 53ER20-77, F.A.C.

Rulemaking Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(3), 24.105(9)(e), 24.115(1),(4), 24.1153 FS. History--New 1-6-21, Replaces 53ER20-77.

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

EFFECTIVE DATE: January 6, 2021.

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

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

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses and Instructor Training Courses Requiring Proficiency Demonstration  
NOTICE IS HEREBY GIVEN that on January 5, 2021, the Department of Law Enforcement, received a petition for temporary waiver of Rules 11B-35.0024, Florida Administrative Code by Captain Joseph Casola, Director of the Citrus County Public Safety Training Center. Petitioner wishes to waive those portions of the rules that state: (2)(a) A basic recruit student shall be given the opportunity for one additional attempt at the required demonstration of proficiency skill(s), or one re-examination of required written end-of-course examination in DUI Traffic Stops and each of the four high-liability topics of firearms, vehicle operations, defensive tactics, and first aid. A basic recruit student, who has failed to pass the written end-of-course examination or the required

demonstration of the proficiency skill(s) after a second attempt, shall be deemed to have failed the training course.

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

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DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation

NOTICE IS HEREBY GIVEN that on December 28, 2020, the Department of Law Enforcement, received a petition for Temporary waiver of Rule 11B-35.002, F.A.C. by Melissa Rincon. Petitioner wishes to waive that portion of the rule that states: (6)(a) Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination (SOCE) pursuant to Rule 11B-30.0062, F.A.C., and gain employment and certification as an officer.

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

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DEPARTMENT OF MANAGEMENT SERVICES  
Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 06, 2021, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Anthony Colucci and the Brevard Federation of Teachers to allow the Brevard Federation of Teachers to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2021-002. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

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

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FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on January 6, 2021, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48-0072(21)(b), Florida Administrative Code (2017) from Citadelle Village LLC requesting an additional 180 days - up to and including July 31, 2021 - to secure the firm loan commitment.

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

**FLORIDA HOUSING FINANCE CORPORATION  
RULE NOS.:RULE TITLES:**

67-48.002 Definitions  
67-48.0072 Credit Underwriting and Loan Procedures  
NOTICE IS HEREBY GIVEN that on January 6, 2021, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48-0072(21)(b) and subsection 67-48.002(96), Florida Administrative Code and Qualified Allocation Plan’s Requirement for Returning Housing Credit Allocations from The Landings at Sugarloaf Key, LLC requesting an extension of the deadline to secure a firm loan commitment from January 31, 2021 to January 31, 2022, requesting an immediate return of Petitioner’s 2019 Housing Credit Allocation, and requesting an immediate allocation of 2021 Housing Credits to Petitioner with a later placed service date, in an equal amount of its 2019 Housing Credit Allocation. A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

**FLORIDA HOUSING FINANCE CORPORATION  
RULE NOS.:RULE TITLES:**

67-48.002 Definitions  
67-48.0072 Credit Underwriting and Loan Procedures  
NOTICE IS HEREBY GIVEN that on January 6, 2021, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48-0072(21)(b) and subsection 67-48.002(96), Florida Administrative Code and Qualified Allocation Plan’s Requirement for Returning Housing Credit Allocations from Dockside at Sugarloaf Key, LLC requesting

an extension of the deadline to secure a firm loan commitment from January 31, 2021 to January 31, 2022, requesting an immediate return of Petitioner’s 2019 Housing Credit Allocation, and requesting an immediate allocation of 2021 Housing Credits to Petitioner with a later placed service date, in an equal amount of its 2019 Housing Credit Allocation.

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

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Consumer Services

The Board of Professional Surveyors and Mappers Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2021, 9:00 a.m. – 11:00 a.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/569305357>

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.) United States (Toll Free): 1(877)309-2073, One-touch: tel: 1(877)309-2073, 569305357# United States: (646)749-3129, One-touch: tel: (646)749-3129, 569305357#, Access Code: 569-305-357

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or [inroomlink.goto.com](http://inroomlink.goto.com), Meeting ID: 569 305 357 Or dial directly: 569305357@67.217.95.2 or 67.217.95.2##569305357

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board committee meeting to discuss options for survey reviews for licensees on probation.

A copy of the agenda may be obtained by contacting: Liz Compton, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, FL 3299-6500, (850)410-3674.

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: Liz Compton at (850)410-3674. 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: Liz Compton, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

#### DEPARTMENT OF EDUCATION

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

DATE AND TIME: January 14, 2021, 5:00 p.m. – 6:00 p.m. ET or until complete

PLACE: Conference Line: 1(888)585-9008 and code 873574258

You may also participate by Go To Training by registering at the following link:

<https://attendee.gototraining.com/r/743310033763825433>

Please note that audio is only available by conference line.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Council Business - and discussion to develop a customer satisfaction survey.

A copy of the agenda may be obtained by contacting: FRC Staff at (850)245-3397 or at [FRCCustomers@vr.fldoe.org](mailto:FRCCustomers@vr.fldoe.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: FRC Staff at (850)245-3397 or at [FRCCustomers@vr.fldoe.org](mailto:FRCCustomers@vr.fldoe.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FRC Staff at (850)245-3397 or at [FRCCustomers@vr.fldoe.org](mailto:FRCCustomers@vr.fldoe.org).

#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 14, 2021, 4:30 p.m. – 6:30 p.m.

PLACE: FDOT District Two Urban Office, Training Facility, 2198 Edison Ave., Jacksonville, FL 32204

Webinar: [www.nflroads.com/vph](http://www.nflroads.com/vph), Phone In (US): (562)247-8422, Access Code: 870-570-126

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) will conduct a Public Hearing pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's (District Two and Florida's Turnpike Enterprise) Tentative Five-Year Work Program for Fiscal Years 2021/2022 through 2025/2026, and to consider the necessity of making any changes to the Work Program. All persons are invited to attend and be heard.

This meeting will serve as the official public hearing for the Tentative Five-Year Work Program. There will be a brief overview of the work program development process at 6:00 p.m. followed by a public comment period.

The Department is offering two ways for the community to participate in the hearing. Interested persons may join the virtual public hearing (VPH) at [www.nflroads.com/vph](http://www.nflroads.com/vph) from a computer, tablet, or phone. Or, they may participate in person by going to the FDOT Urban Office Training Center, 2198 Edison Avenue, Jacksonville, FL 32204. A VPH is a free live presentation or webinar over the internet.

All participants, regardless of the platform they choose, will participate in the same live hearing. At this time, Internet Explorer is not supported by GoToWebinar, and the link for the meeting will not work on this platform. Please use an alternate web browser to attend the meeting.

For participants who are unable to attend the webinar, they can listen to the hearing by calling (562)247-8422 and entering access code 870-570-126 when prompted. Please note while the call-in number is listen-only, callers may submit comments directly to Mr. Greg Evans, FDOT District Two Secretary, at Mail Station 2000, 1109 S. Marion Avenue, Lake City, Florida 32025-5874, Email: [greg.evans@dot.state.fl.us](mailto:greg.evans@dot.state.fl.us).

Attendees will be asked to follow all safety and sanitation guidelines as well as adhere to any local ordinances. Attendees who are not feeling well should not attend the in-person meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact James Driggers, Jr at 1(800)749-2967 ext. 3722 at least 7 days before the hearing.

All proposed documents are available for review on-line at [www.nflroads.com/vph](http://www.nflroads.com/vph). If you would like to submit written comments, you may submit them at the hearing or our website at [www.nflroads.com/vph](http://www.nflroads.com/vph) or by mail/email. All written comments need to be received by the Department no later than January 28, 2021, to be documented as part of the public hearing transcript.

A copy of the agenda may be obtained by contacting: Mr. James Driggers, Jr., District 2 Program Management Engineer, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2014, Lake City, Florida 32025-5874, (386)758-3722 or 1(800)749-2967 extension 3722.

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: Mr. James Driggers, Jr., District 2 Program Management Engineer, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2014, Lake City, Florida 32025-5874, (386)758-3722 or 1(800)749-2967 extension 3722. 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 TRANSPORTATION**

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

**DATES AND TIMES:** Second Thursday of every month, as follows: January 14, 2021, 8:30 a.m.; February 11, 2021, 8:30 a.m.; March 11, 2021, 8:30 a.m.; April 8, 2021, 8:30 a.m.; May 13, 2021, 8:30 a.m.; June 10, 2021, 8:30 a.m.; July 8, 2021, 8:30 a.m.; August 12, 2021, 8:30 a.m.; September 9, 2021, 8:30 a.m.; October 14, 2021, 8:30 a.m.; November 18, 2021, 8:30 a.m.; December 9, 2021, 8:30 a.m.

**PLACE:** Florida Dept. of Transportation, Barry Bldg. Monticello Conference Room, 3185 Blairstone Road, Tallahassee, FL

Persons wishing to participate via video conference, may appear at the following locations:

Department of Transportation District 1, 801 N. Broadway Ave., Bartow, FL

Department of Transportation District 2, 1109 S. Marion Ave., Lake City, FL

Department of Transportation District 3, 1074 Highway 90, Chipley, FL

Department of Transportation District 4, 3400 W. Commercial Blvd., Ft. Lauderdale, FL

Department of Transportation District 5, 719 S. Woodland Blvd., Deland, FL

Department of Transportation District 6, 1000 NW 111th Ave., Miami, FL

Department of Transportation District 7, 11201 N. Malcolm McKinley Drive, Tampa FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any

vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Marie Tucker, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee St. MS 90, Tallahassee, FL 32399, (850)410-5555.

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: Marie Tucker, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee St. MS 90, Tallahassee, FL 32399, (850)410-5555. 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: Marie Tucker, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee St. MS 90, Tallahassee, FL 32399, (850)410-5555.

**STATE BOARD OF ADMINISTRATION**

Florida Prepaid College Board

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

**DATE AND TIME:** Friday, January 15, 2021, 10:30 a.m. ET

**PLACE:**

<https://attendee.gotowebinar.com/register/1368613112757273614>, Webinar ID 123-340-283

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To validate the Evaluators' recommendation to move forward to the Negotiation Phase for each responsive reply to Invitation to Negotiate, ITN 20-05, Trustee and Securities Lending Services for the Florida Prepaid College Board, the Stanley G. Tate Florida Prepaid College Foundation, and ABLE United.

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

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

ITNinfo.PrePaid@MyFloridaPrepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Thursday, January 21, 2021, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at [www.floridapsc.com](http://www.floridapsc.com).

**SPECIAL COVID-19 CONSIDERATIONS:** Due to the COVID-19 Pandemic, the Commission must limit the manner in which the public may participate or view the meeting. As always, the public may view a live stream of the meeting online using the link available at <http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>.

Due to these extraordinary circumstances, however, no member of the public may attend in person. Any interested person who would like to participate telephonically on any item on the agenda should contact the Office of the Executive Director at (850)413-6053 no later than 12:00 Noon on January 20, 2021.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD).

**EMERGENCY CANCELLATION OF MEETING:** If a named storm or some other state of emergency requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission’s website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page.

Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

<https://www.flrules.org/agency/noticeHome.asp?string=23939617&iid=>

**REGIONAL PLANNING COUNCILS**

West Florida Regional Planning Council

The Emerald Coast Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 13, 2021, 9:00 a.m.

PLACE: Pensacola Bay Center, 201 E. Gregory St., Pensacola, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida-Alabama Transportation Planning Organization (TPO) will hold a public meeting at 9:00 a.m., Wednesday, January 13, 2021 at the Pensacola Bay Center, 201 E. Gregory St., Pensacola, Fla. The Technical Coordinating Committee (TCC) will meet Monday, January 11, 2021, 10:00 a.m. and the Citizens’ Advisory Committee (CAC) will meet Monday, January 11, 2021, 5:30 p.m. Both advisory committees will meet at the Emerald Coast Regional Council, 4081 E Olive Rd Ste A, Pensacola, Fla.

The TPO and committees will have a physical location, however, for the convenience of our community members, the meetings can be accessed via video live stream or by phone. All in-person participants are **REQUIRED** to wear appropriate personal protective equipment and will be required to comply with social distancing recommendations. Masks will be available for in-person participants.

The public can view the meeting and submit comments live on YouTube: [www.ecrc.org/YouTube](http://www.ecrc.org/YouTube).

The public can also dial in by phone: United States: (669)224-3412, Access Code: 115-187-253

The TPO will consider:

- Accepting the FDOT Fiscal Years 2022 -2026 Tentative Work Program
- Amending the FY 2021-2025 Transportation Improvement Program to Add the Design and Construction Phases for Longleaf Drive from Pine Forest Road to East of Wymart Road Capacity Project, Locally Funded in FY 2020/2021 for Design and Locally Funded in FY 2021/2022 for Construction at a Total Cost of \$5,500,000
- Amending the FY 2021-2025 Transportation Improvement Program to Add the Construction Phase for SR 95 (US 29) from Blount Street to Old Chemstrand Road, Lighting Project for Financial Project Identification (FPID) Number 4460342 Funded in FY 2020/2021 for Construction for a Total Cost of \$497,000
- Amending the FY 2021-2025 Transportation Improvement Program to Add the Design Phase for CR 292A Gulf Beach Highway from East of Ponte Verde Road to West of Longwood Drive Emergency Repair Project for Financial Project Identification (FPID) Number 4488052 in FY 2020/2021 for Design for a Total Cost of \$34,758
- Amending the Florida-Alabama 2045 Long-Range Transportation Plan (LRTP) Cost Feasible Plan by Correcting the Non-SIS Revenue Forecast in Comparison to Non-SIS Project Cost, Adding One Boxed Fund Project, Changing Four Projects from Fully Funded to Partially Funded, Partially Funding Three Projects, and Eliminating Funding for Two Projects
- Adopting the Public Participation Process Plan

• Appointment of a Florida-Alabama TPO Member and Alternate to Serve on the Metropolitan Planning Organization Advisory Council (MPOAC) for Calendar Year 2021

A full agenda can be viewed at [www.ecrc.org/FLALTPOMeetings](http://www.ecrc.org/FLALTPOMeetings). Public input is valuable to the TPO, we encourage our communities to submit input through a variety of avenues. Comments for the public forum can be submitted via eComment Card, email, or phone, learn how at [www.ecrc.org/FLALPublicForum](http://www.ecrc.org/FLALPublicForum). All comments submitted will be disseminated to the board. Please email [publicinvolvement@ecrc.org](mailto:publicinvolvement@ecrc.org) with additional questions or concerns.

In compliance with the Americans with Disabilities Act, reasonable accommodations to access meetings, and for limited English proficiency, are available upon request. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services should contact Public Involvement toll-free at 1(800)226-8914 or TTY 711, at least 48 hours in advance. Para informacion en espanol, puede llamar a Ada Clark al (850)332-7976, ext. 278 o TTY 711. Si necesita acomodaciones especiales, por favor llame 48 horas de antemano.

Participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976, ext. 220.

The Florida-Alabama TPO is staffed by the Emerald Coast Regional Council, a regional entity providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public to preserve and enhance the quality of life in northwest Florida.

A copy of the agenda may be obtained by contacting: Public Involvement at [publicinvolvement@ecrc.org](mailto:publicinvolvement@ecrc.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 days before the workshop/meeting by contacting: Public Involvement at [publicinvolvement@ecrc.org](mailto:publicinvolvement@ecrc.org) or call toll-free at 1(800)226-8914 or TTY 711. 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: Public Involvement at [publicinvolvement@ecrc.org](mailto:publicinvolvement@ecrc.org).

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

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

DATE AND TIME: Tuesday, January 19, 2021, 10:00 a.m. – 11:00 a.m.

PLACE: Virtual - "GoToMeeting" by the web or conference call/ 1 Oakwood Blvd., Suite 250, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund Loan applications. A copy of the agenda may be obtained by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or [sfadmin@sfrpc.com](mailto:sfadmin@sfrpc.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or [sfadmin@sfrpc.com](mailto:sfadmin@sfrpc.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

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

DATE AND TIME: January 28, 2021, 9:00 a.m.

PLACE: One Ocean Resort & Spa, 1 Ocean Boulevard, Atlantic Beach, FL 32233

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Architectural Support Services, Inc. 2019-040211

Ian Faber 2019-040218

Debbie Faber 2019-040228

Ronald Jean Baptiste 2020-038564

Rene Betancourt 2019-043941 & 2019-043947

B&B Concept Designs 2019-043935

Casa Designs + Interiors 2019-043953

Ernesto Fernandez 2020-022852

Nextgen Architecture 2020-022845

Aldo Gomez 2020-042012

Interior Services 2020-038534

Danny Bell

Invesca Group 2020-038553  
 Jacob Companies 2020-034685  
 JKing Designs 2020-049806  
 K&K Design and Construction 2020-039022  
 Kesi Case 2020-039028  
 Kim Henlin 2020-039043  
 Adina Kaufman 2020-038987  
 AKA Designs 2020-039008  
 Melissa D. Parker 2020-017239  
 Ernesto Prinstein 2020-022891  
 Architech Design Group 2020-022884  
 George R. Rovira 2019-030456  
 4 Courses Consultants 2019-030461  
 Brian Schlosser 2020-042031  
 Federico Teran 2020-020193  
 Fede Design, LLC 2020-020196  
 Fede Group, LLC 2020-020322  
 Vernon Thompson 2020-049815

A copy of the agenda may be obtained by contacting: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882.

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: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882. 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: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882.

**DEPARTMENT OF HEALTH**

The Drug Policy Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2021, 8:30 a.m. – 12:30 p.m. ET

PLACE: Virtually only, via GoToMeeting

- GoToMeeting: Click on the following link: <https://global.gotomeeting.com/join/677651173>

- Dial: United States (Toll Free): 1(877)568-4106, Access code: 677-651-173

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Established in section 397.333, Florida Statutes, the Drug Policy Advisory Council reviews and analyzes the impacts of substance abuse in the State and makes recommendations for the implementation of a state drug control strategy.

A copy of the agenda may be obtained by contacting: Nathan Dunn at (850)245-4018, or [Nathan.Dunn@FLHealth.gov](mailto:Nathan.Dunn@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 2 days before the workshop/meeting by contacting: Nathan Dunn at the contact information above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

Division of Medical Quality Assurance

The Department of Health, Board of Occupational Therapy announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2021, 8:00 a.m. ET

PLACE: CHANGE OF PLACE: Conference Calls: 1(888)585-9008, Then enter Conference Room Number 564-341-766 followed by the # sign.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Probable Cause Panel Meeting. A meeting or portion of a probable cause panel meeting is public only if a case or cases are public by reason of reconsideration.

A copy of the agenda may be obtained by contacting: The Board of Occupational Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: [www.floridasoccupationaltherapy.gov](http://www.floridasoccupationaltherapy.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 48 hours before the workshop/meeting by contacting: The Department of Health at (850)901-6528. 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 you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF HEALTH**

Division of Medical Quality Assurance

The Department of Health, Board of Occupational Therapy announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2021, 9:00 a.m.

PLACE: CHANGE OF PLACE: Conference Calls: 1(888)585-9008, Then enter Conference Room Number 564-341-766 followed by the # sign.

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

A copy of the agenda may be obtained by contacting: The Board of Occupational Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: [www.floridasoccupationaltherapy.gov](http://www.floridasoccupationaltherapy.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 48 hours before the workshop/meeting by contacting: The Department of Health at (850)901-6528. 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 you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

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

DATE AND TIME: February 19, 2021, 7:30 a.m. ET

PLACE: 1(888)585-9008 when prompted, enter conference room number 599-196-982 #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General Board Business.

A copy of the agenda may be obtained by contacting: [www.floridasdentistry.gov](http://www.floridasdentistry.gov).

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

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

DATE AND TIME: February 19, 2021, 1:00 p.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/491996797>. You can also dial in using your phone. United States (Toll Free): 1(877)309-2073, United States: (571)317-3129, Access Code: 491-996-797. Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or [inroomlink.goto.com](http://inroomlink.goto.com), Meeting ID: 491 996 797 or dial directly: 491996797@67.217.95.2 or 67.217.95.2##491996797 New to GoToMeeting? Get the app now and be ready when your first meeting

starts:<https://global.gotomeeting.com/install/491996797>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To hear a Recommended Order.

A copy of the agenda may be obtained by contacting: [www.floridasdentistry.gov](http://www.floridasdentistry.gov).

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

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

DATE AND TIME: February 4, 2021, 8:00 a.m. ET

PLACE: 1(888)585-9008 when prompted, enter conference room number 599196982#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General Board Business and Disciplinary matters.

A copy of the agenda may be obtained by contacting: [www.floridaspharmacy.gov](http://www.floridaspharmacy.gov).

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.  
 For more information, you may contact: (850)245-4474.

**DEPARTMENT OF HEALTH**

Division of Children's Medical Services

The Child Abuse Death Review Circuit 13 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2021, 1:00 p.m. – 1:15 p.m.

PLACE: Zoom Webinar Link:

[https://urldefense.com/v3/\\_\\_https://zoom.us/meeting/register/tJ0sdOirqToqEtAMjdJmEKxqAAVHoqIGkHhA\\_!!B6dj6w!r10VfwaTCmSKJIpj7oZ\\_a6OuBIKFaSi9ZFA2F67sjDkQn5tpVQy4CDOEfMUjDE\\_yw\\$](https://urldefense.com/v3/__https://zoom.us/meeting/register/tJ0sdOirqToqEtAMjdJmEKxqAAVHoqIGkHhA_!!B6dj6w!r10VfwaTCmSKJIpj7oZ_a6OuBIKFaSi9ZFA2F67sjDkQn5tpVQy4CDOEfMUjDE_yw$)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Jane Murphy: [jmurphy@hstart.org](mailto:jmurphy@hstart.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 7 days before the workshop/meeting by contacting: Jane Murphy: [jmurphy@hstart.org](mailto:jmurphy@hstart.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jane Murphy: [jmurphy@hstart.org](mailto:jmurphy@hstart.org).

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

The Department of Children and Families announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2021, 10:00 a.m. – 12:00 Noon Eastern

PLACE: Conference Line: 1(888)299-2873, Conference Code: 283 759 930 #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this meeting is for the Independent Living Services Advisory Council (ILSAC) to conduct general business.

A copy of the agenda may be obtained by contacting: A more detailed agenda with relevant presentation material will be posted on the department's website, <https://www.myflfamilies.com/service-programs/independent-living/meeting-schedule.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 1 days before the workshop/meeting by contacting: Cal Walton, III Department of Children and Families, phone (407)241-4712 or email [cal.walton@myflfamilies.com](mailto:cal.walton@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

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

DATE AND TIME: Tuesday, January 19, 2021, 5:00 p.m. – 7:00 p.m.

PLACE: via Adobe Connect. To join the meeting: <http://fwc.adobeconnect.com/ruleprop/>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Proposed changes to Rule 68D-24.017 and/or to establish a boating restriction area in Jupiter Narrows.

A copy of the agenda may be obtained by contacting: Ginny Worley, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 S Meridian Street, Tallahassee FL 32399-1600 or [ginny.worley@myfwc.com](mailto:ginny.worley@myfwc.com).

**GULF CONSORTIUM**

The Gulf Consortium announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 14, 2021, 4:00 p.m. ET

PLACE: by telephone via the following: Dial in Number: (669)224-3217, Participant Passcode: 865-760-109

Interested persons who wish to participate may also contact Valerie Seidel at (407)629-2185 ext 104 or [vseidel@balmoralgroup.us](mailto:vseidel@balmoralgroup.us) at least three (3) days in advance of the meeting to arrange for access to be provided to the teleconference at the following location: The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789

Please note that in light of the current situation surrounding the COVID-19 virus and to limit public gatherings in accordance with Federal and State directives, interested persons who wish to participate are encouraged to do so remotely via telephone, utilizing the contact information described above.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Executive Committee of the Gulf Consortium will meet to discuss committee assignments, the manager contract and other items at the discretion of the committee.

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

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

participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: [www.gulfconsortium.org](http://www.gulfconsortium.org) or by contacting: General Manager at (407)629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**ABC GROUP, LLC**

The Florida Department of Transportation District Three announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2021, 12:00 Noon

PLACE: This will be a Virtual Project Update (VPU).

The information will be available online at: <http://www.nwflroads.com/projects/443-769-1>.

Comments will be accepted until February 8, 2021.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) District Three will provide a Virtual Project Update (VPU) on the West Cervantes Street Pedestrian Safety Improvements project beginning Wednesday, Jan. 13, 2021 at noon central standard time.

Maps, renderings, and other project information will be available online at: <http://www.nwflroads.com/projects/443-769-1>.

Construction for the \$7 million project is scheduled to start in late January 2021. It will enhance safety along a 2.2-mile segment of W. Cervantes Street (US 90) from Dominguez Street to A Street in Pensacola.

Public comments will be received until February 8, 2021.

Estimated completion of the construction work is early 2022.

A copy of the agenda may be obtained by contacting: David Nixon, [David.Nixon@dot.state.fl.us](mailto:David.Nixon@dot.state.fl.us), (850)981-2765.

For more information, you may contact: David Nixon, [David.Nixon@dot.state.fl.us](mailto:David.Nixon@dot.state.fl.us), (850)981-2765.

**TRANSYSTEMS**

The LYNX announces a workshop to which all persons are invited.

DATE AND TIME: January 29, 2021, 10:00 a.m. – 11:00 a.m.

RSVP: <https://www.eventbrite.com/e/lynx-fy21-fta-section-5310-grant-workshop-tickets-129756478119>

PLACE: Virtual Workshop:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MTg3Y2M0ZjEtYjUzNS00MDU5LWFKMTMtZTYwOTdmNzI1MDIj%40thread.v2/0?context=%7b%22Tid%22%3a%222a9109e7-37cc-4ee5-9b29-5a6bb05cd31d%22%2c%22Oid%22%3a%22e1ead75d-e424-45f1-ace4-1c1578ec4788%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTg3Y2M0ZjEtYjUzNS00MDU5LWFKMTMtZTYwOTdmNzI1MDIj%40thread.v2/0?context=%7b%22Tid%22%3a%222a9109e7-37cc-4ee5-9b29-5a6bb05cd31d%22%2c%22Oid%22%3a%22e1ead75d-e424-45f1-ace4-1c1578ec4788%22%7d)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Sub-Recipients and potential Sub-Recipients of Section 5310: Enhanced Mobility of Seniors and People with Disabilities are invited to the LYNX Section 5310 Grant Workshop.

This event will include information regarding: Section 5310 program background, eligibility and priorities; Section 5310 and LYNX Vanpool Program summaries; grant application process and requirements; grant application evaluation, selection and scoring summary; and grant award process timeline.

A copy of the agenda may be obtained by contacting: Zach Balassone ([zbalassone@transystems.com](mailto:zbalassone@transystems.com)).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Benjamin Gonzalez at 2500 LYNX Lane, Orlando, FL 32804, or (407)254-6038, or [BGonzalez@GoLYNX.com](mailto:BGonzalez@GoLYNX.com), not later than three business days prior to the meeting. This meeting is being conducted without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964. 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: Sheila Maldonado (407)254-6148 ([smaldonado@golynx.com](mailto:smaldonado@golynx.com)) or Zach Balassone ([zbalassone@transystems.com](mailto:zbalassone@transystems.com)).

**Section VII**

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

NONE

**Section VIII**

**Notice of Petitions and Dispositions  
Regarding the Validity of Rules**

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

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**

FISH AND WILDLIFE CONSERVATION COMMISSION  
 FWC 20/21-53C DINNER ISLAND (CONTROL  
 STRUCTURE S-12)

BID NO: FWC 20/21-53C

TITLE: DINNER ISLAND (CONTROL STRUCTURE S-12)

The Florida Fish and Wildlife Conservation Commission is seeking competitive pricing for the removal and replacement of the S-12 water control structure at Dinner Island Ranch Wildlife Management Area, in accordance with the contract documents and Chapter 255 of the Florida Statutes.

SEALED BIDS WILL BE PUBLICLY OPENED  
 TELLIPHONICALLY AND READ ALOUD

BID OPENING DATE & TIME: February 2, 2021, 3:00 p.m.

PUBLIC BID OPENING LOCATION:(Via Teleconference)

Conference call phone number: 1(888)585-9008, Conference room number: 218-721-199

To review the bid details for FWC 20/21-53C, use the following link:

[https://www.myflorida.com/apps/vbs/vbs\\_www.ad\\_r2.view\\_ad?advertisement\\_key\\_num=156292](https://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=156292)

If the link doesn't take you directly to the project listing, you can manually search for it by:

- Visit [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu).
- Select Search Advertisements.

- Choose FL Fish and Wildlife Conservation Commission from the Agency dropdown box.

- Click the Advertisement Search button.

- Choose the FWC 20/21-53C solicitation link to view the advertisement details.

- From the Advertisement Details page, and the explorer site included in the Advertisement Details, you can download the PDF solicitation files for your reference.

NOTE: The Vendor Bid System (link provided above) is the posting location for all new and changing information regarding this solicitation. Interested bidders should continue to monitor this site for the entirety of the solicitation process.

**TECHNICAL SPECIFICATIONS AND CONSTRUCTION PLANS**

Email a completed Confidentiality Exemption Form (Attachment A of Solicitation Document) to [Alyssa.delong@myfwc.com](mailto:Alyssa.delong@myfwc.com) to receive an electronic copy of construction plans and all other associated documents.

Direct all questions to the Procurement Manager: Alyssa DeLong, Procurement Manager, [Alyssa.Delong@myfwc.com](mailto:Alyssa.Delong@myfwc.com), Phone: (850)717-8720, Florida Fish & Wildlife Conservation Commission, 1875 ORANGE AVENUE EAST, Tallahassee FL, 32311-6160.

**Section XII**  
**Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, December 31, 2020 and 3:00 p.m., Wednesday, January 6, 2021.

| Rule No.    | File Date | Effective Date |
|-------------|-----------|----------------|
| 12A-19.100  | 1/4/2021  | 1/24/2021      |
| 25-6.0141   | 1/6/2021  | 1/26/2021      |
| 25-7.0141   | 1/6/2021  | 1/26/2021      |
| 25-30.116   | 1/6/2021  | 1/26/2021      |
| 40B-4.1110  | 1/4/2021  | 1/24/2021      |
| 40B-4.3000  | 1/4/2021  | 1/24/2021      |
| 53ER21-2    | 1/6/2021  | 1/6/2021       |
| 53ER21-3    | 1/6/2021  | 1/6/2021       |
| 61G5-17.016 | 1/4/2021  | 1/24/2021      |

|   |                  |                       |
|---|------------------|-----------------------|
| 61G5-18.00015   | 1/4/2021         | 1/24/2021             |
| 61G5-18.008   | 1/4/2021         | 1/24/2021             |
| 64B9-4.020  | 1/5/2021         | 1/25/2021             |
| 64B9-8.005  | 1/5/2021         | 1/25/2021             |
| 64B14-4.115   | 1/6/2021         | 1/26/2021             |
| 68B-27.013  | 1/6/2021         | 1/26/2021             |
| 68B-27.014  | 1/6/2021         | 1/26/2021             |
| 68B-27.017  | 1/6/2021         | 1/26/2021             |
| 68B-27.018  | 1/6/2021         | 1/26/2021             |
| 68B-27.019  | 1/6/2021         | 1/26/2021             |
| <b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b> |                  |                       |
| <b>Rule No.</b>   | <b>File Date</b> | <b>Effective Date</b> |
| 60FF1-5.009   | 7/21/2016        | **/**/****            |
| 60P-1.003   | 11/5/2019        | **/**/****            |
| 60P-2.002   | 11/5/2019        | **/**/****            |
| 60P-2.003   | 11/5/2019        | **/**/****            |
| 64B8-10.003   | 12/9/2015        | **/**/****            |

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Relocation of Dehn Enterprises LLC, dba Power Lodge Florida, line-make KAWK

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Kawasaki Motors Corp USA, intends to allow the relocation of Dehn Enterprises LLC, dba Power Lodge Florida as a dealership for the sale of motorcycles manufactured by Kawasaki (line-make KAWK) from its present location at 6329 Naples Boulevard, Naples, (Collier County), Florida 34109, to a proposed location at 28470 Tamiami Trail, Bonita Springs, (Lee County), Florida 34134, on or after February 5, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Dehn Enterprises LLC are dealer operator(s): Thomas Allen Dehn, 28470 Tamiami Trail, Bonita Springs,

Florida 34134, principal investor(s): Thomas Allen Dehn, 735 158th Avenue Northwest, Andover, Minnesota 553041.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399.

A copy of such petition or complaint must also be sent by US Mail to: Mark Hosbach, Kawasaki Motors Corp USA, 26972 Burbank, Foothill Ranch, California 92610.

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Drinking Water State Revolving Fund  
NOTICE OF AVAILABILITY  
FLORIDA**

City of Melbourne

The Florida Department of Environmental Protection (DEP) has determined that the City of Melbourne project involving construction of 4 miles of new water main across the Pineda Causeway is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$13.9 million. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and 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 Notice can be obtained by writing to: Greg Alfsen, SRF Program, Department of Environmental Protection, 2600 Blair Stone Road, MS#3505, Tallahassee, Florida 32399-2400 or calling (850)245-2983 or emailing to gregory.alfsen@dep.state.fl.us.

Section XIII  
Index to Rules Filed During Preceding  
Week

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

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