Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS	: RULE TITLES:
62-555.310	Source and Siting Requirements for Public
	Water Systems
62-555.314	Location of Public Water System Mains
62-555.316	Public Water System Utilizing Direct or
	Indirect Potable Reuse
62-555.317	Engineering Report and Source Water
	Evaluation for Potable Reuse
62-555.318	Pilot Testing Program for Potable Reuse
62-555.320	Design and Construction of Public Water
	Systems
62-555.350	Operation and Maintenance of Public Water
	Systems
62-555.520	Applying for Public Water System
	Construction Permits
DIDDOGE	AND PERFOR D :: CI . CO FFF

PURPOSE AND EFFECT: Revisions to Chapter 62-555, F.A.C. are being considered to ensure proper regulation for the use of reclaimed water in the state of Florida. Particular attention for the implementation of Direct Potable Reuse programs in Public Water Systems is important for these revisions proposed to Chapter 62-555, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The Division of Water Resource Management is proposing amendments to Florida Administrative Code, Chapter 62-555, entitled Permitting, Construction, Operation, and Maintenance of Public Water Systems, which regulates the establishment, continual operation, and expansion of Public Water Systems. The proposed revisions will update the chapter to be consistent with other title 62 chapters, correct regulatory references, clarify current language, as well as identify the requirements for implementing treated reclaimed water as a source for Public Water Systems.

RULEMAKING AUTHORITY: 403.861(9) F.S.

LAW IMPLEMENTED: 403.852(12), 403.861(7), 403.853(6), 403.861(17) F.S.

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: Jamie Shakar, Environmental Administrator, Division of Water Resource Management, MS 568E, 2600 Blair Stone Road,

Tallahassee, FL 32399, (850)245-8626 or by email at Jamie.Shakar@FloridaDEP.gov.

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NOS.: RULE TITLES: 64B32-5.001 Disciplinary Guidelines

64B32-5.0015 Out-of-State Telehealth Discipline

PURPOSE AND EFFECT: The proposed revisions clarify and amend existing guidelines and add new guidelines for out-of-state telehealth discipline.

SUBJECT AREA TO BE ADDRESSED: To update existing language and add new rule language.

RULEMAKING AUTHORITY: 456.079, 456.353(3), 468.365(4) FS.

LAW IMPLEMENTED: 456.0635, 456.072, 456.079, 468.365

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 Respiratory Care, 4052 Bald Cypress Way, Bin # C05, 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

NONE

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-16.003 Guidelines for the Disposition of

Disciplinary Cases
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 60, March 29, 2021 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a meeting held May 21, 2021. The changes are as follows:

64B2-16.003 Guidelines for the Disposition of Disciplinary Cases.

- (1) No change.
- (2) Violations and Range of Penalties. When the Board finds that an applicant or licensee whom it regulates pursuant to Chapter 460, F.S., has violated the below-listed provisions, it shall issue a final order imposing appropriate penalties, for each count, as set forth in Section 456.072(2), F.S., within the ranges recommended in the following disciplinary guidelines. The identification of offenses are descriptive only; the full language of each statutory provision cited must be considered in order to determine the conduct included. If the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient. In addition to or in lieu of any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000 per count or offense.

Statutory or	First Offense	Second	Third or
Rule cite and		Offense	Subsequ
brief			ent
descriptor.			Offenses
(a) through			
(g) No			
change.			
(h) Section	From a	\$10,000 fine	\$10,000
460.412 or	minimum of a	and	fine and
456.072(1)(v	PRN referral	permanent	permane
), F.S.:	for evaluation,	revocation.	nt
(sexual	one (1) year		revocatio
misconduct).	suspension		n.
	followed by		
	two (2) years'		
	probation		
	including a		
	chaperone, up		
	to a maximum		
	\$7,500 fine		
	and /or		

	permanent		
	revocation.		
(i) Section			
460.413(1)(a			
) or			
456.072(1)(h			
), F.S.,			
Obtain			
license by			
bribery,			
fraudulent			
misrepresent			
ation or			
Department			
or Board			
Error.			
1.—i. Obtain	From a	From a	Permane
license by	minimum	minimum	nt
bribery.	\$500 fine	\$10,000 fine	revocatio
onocry.	and /or two (2)	and one (1)	n.
	years'	year (1)	11.
	probation to a	suspension to	
	maximum of	permanent	
	permanent	revocation.	
	revocation.	icvocation.	
2. ii. Obtain	From six	\$10,000 fine	
license by	months'	and	
fraudulent	probation and	permanent	
	a fine of	revocation.	
misrepresent ations.		revocation.	
ations.	\$10,000 to a maximum of		
	five (5) years		
	suspension,		
	passage of the		
	SPEC Exam		
	as condition		
	of		
	reinstatement,		
	and a fine of		
	\$10,000.		
3. iii. Obtain	Suspension	Same Penalty	Same
license by	until	as first	Penalty
Department	appearance	violation.	as first
or Board	before Board,		violation
error.	demonstration		
	of entitlement		
	to licensure		
	and		
	certification		
	i		

	by Board, and		
	a \$500 fine.		
(j) No	a \$500 mic.		
change.			
(k). Section			
` '			
460.413(1)(c			
) or			
456.072(1)(c			
), F.S., crime			
related to			
practice.	F	F	F
1. i.	From a	From a	From a
Misdemeano	minimum	minimum	minimu
r.	\$1,500 fine	\$3,000 fine,	m of
	and six (6)	six (6) months	\$4,000
	months'	suspension	fine, two
	probation, up	and one (1)	(2) year
	to a \$3,000	year probation	Permane
	fine and one	up to a \$5,000	nt
	(1) year	fine and	revocatio
	suspension.	eighteen (18)	n.
		month	
		suspension.	
2ii. Felony.	From a	From a	Permane
	minimum	minimum	nt
	\$5,000 fine	\$7,500 fine	revocatio
	and 1 year	and two (2)	n.
	probation up	years	
	to a maximum	suspension	
	\$7,500 fine	followed by	
	and one (1)	two (2) years'	
	year	probation, up	
	suspension	to a maximum	
	followed by	\$10,000 fine	
	two (2) years'	and /or four (4)	
	probation or	year	
	permanent	suspension,	
	revocation.	passage of the	
		SPEC exam as	
		a condition of	
		reinstatement	
		of license to	
		be followed	
		by four (4)	
		years'	
		probation.	
(1) Section	From a	In addition to	From a
460.413(1)(d	minimum	three (3) three	minimu
), F.S.:	\$1,000 fine	hours CE on	m of a
false/mislead	and a letter of	Laws, Rules	\$10,000
Taise/Illisicad	and a letter of	Laws, Ruics	Ψ10,000

ing advertising.	concern, up to a maximum \$2,500 fine and 3 hours Laws, Rules and Ethics CE.	and Ethics, from a minimum \$2,500 fine and one (1) year probation to a maximum \$5,000 fine and three (3) months suspension.	fine and/or one (1) year suspensi on to a maximu m \$10,000 fine and permane nt revocatio n.
(m) through (p) No change.			
(q) Section 460.413(1)(i) or 456.072(1)(k), F.S.: failure to perform statutory or legal obligation.	In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and a letter of concern, up to a maximum \$3,000 fine and one (1) year suspension followed by two (2) years' probation.	From a minimum three (3) three hours Laws, Rules and Ethics CE, \$2,500 fine and one (1) year probation up to a maximum \$5,000 fine, 2 year suspension, SPEC Exam as condition of reinstatement followed by 2 years' probation or permanent revocation.	From a minimu m \$10,000 fine and 1 year suspensi on up to a maximu m \$10,000 fine and permane nt revocatio n.
1. i. Negligent filing of false report.	From a minimum \$2,000 fine, up to a maximum \$5,000 fine, two (2) hours Ethics and three (3) hours	From a minimum \$3,000 fine and a reprimand to a maximum \$5,000 fine, two (2) hours Ethics and	From a minimu m \$5,000 fine up to a maximu m \$10,000 fine and
	Laws and Rules CE and	three (3) hours Laws and	permane nt

	one (1) year	Rules CE and	revocatio
	probation	two (2) year	n.
	with records	suspension.	
	monitoring.	1	
2. ii. Willful	From a	From a	From a
filing of false	minimum	minimum	minimu
report,	\$5,000 fine	\$5,000 fine	m
impeding, or	and one (1)	and three (3)	\$10,000
inducing	year	year	fine and
another to	suspension,	suspension	five (5)
file false	followed by	with two (2)	year
report.	one (1) year	hours Ethics	suspensi
	probation	and three (3)	on up to a
	with records	hours Laws	maximu
	monitoring,	and Rules CE	m
	up to a	and passage of	\$10,000
	maximum of 1	the SPEC	fine and
	year	Exam as	permane
	suspension,	conditions of	nt
	SPEC Exam	licensure	revocatio
	as condition	reinstatement	n.
	of license	followed by 3	
	reinstatement,	years'	
	followed by 3	probation	
	years'	with records	
	probation	monitoring up	
		to a maximum	
		\$7,500 fine	
		and	
		permanent	
(3) (1)		revocation.	
(r) Section			
460.413(1)(r)			
, F.S.: Gross			
or repeated malpractice			
or failure to			
practice at			
acceptable			
level of			
reasonably			
prudent care,			
skill or			
treatment.			
<u>1. Gross</u>	From a	From a	From a
malpractice.	minimum	minimum	minimu
	\$2,500 fine,	\$5,000 fine	<u>m</u>
	up to a	and one (1)	\$10,000
	<u>maximum</u>	<u>year</u>	fine, two
	\$5,000 fine	suspension	(2) years
	<u>and</u>	followed by	<u>suspensi</u>
. <u></u>	<u> </u>	<u> </u>	

	permanent	one (1) year	on and
	revocation.	probation up	$\frac{\sin - \tan \alpha}{\cos (2)}$
	10 vocation.	to a maximum	years'
		\$7,500 fine,	probatio
		three (3) year	n up to a
		suspension	maximu
		followed by	m
		three (3) year	\$10,000
		probation or	fine and
		permanent	permane
		revocation.	nt
			revocatio
			<u>n.</u>
2. Repeated	From a	From a	\$10,000
malpractice.	minimum	minimum	fine and
	\$1,000 fine,	\$5,000 fine,	permane
	three (3) hours	two (2) year	<u>nt</u>
	Laws, Rules	suspension	revocatio
	and Ethics	and two (2)	<u>n</u>
	CE, and one	year probation	(minimu
	<u>(1) year</u>	up to a	m and
	suspension _	<u>maximum</u>	<u>maximu</u>
	<u>followed</u> by	\$10,000 fine,	m same).
	one (1) year	four (4) year	
	probation up	suspension,	
	to a maximum	three (3) hours	
	\$6,000 fine,	Laws, Rules	
	two (2) year	and Ethics CE	
	suspension,	and passage of	
	three (3) hours	the SPEC	
	Laws, Rules	Exam as	
	and Ethics CE	conditions of	
	and passage of	license	
	the SPEC	reinstatement,	
	Exam as	followed by	
	conditions of	four (4) years'	
	license reinstatement	probation	
	reinstatement, followed by	with monitoring or	
	two (2) year	permanent	
	probation	revocation.	
	with	ic vocation.	
	monitoring or		
	permanent		
	revocation.		
3.	For a first	From a	For a
<u>Unacceptable</u>	offense, from	minimum	third
level of care,	a minimum	\$5,000 fine	offense,
skill, and	\$3,000 fine, 1	and 2 year	from a
treatment.	<u>year</u>	suspension,	minimu
	suspension	passage of	m \$7,500

	followed by	SPEC Exam	fine, one
	two (2) years'	as condition	(1) year
	probation up	of license	suspensi
	to a maximum	renewal,	on then
	\$6,000 fine, 5	followed by	<u>two (2)</u>
	<u>year</u>	two (2) years'	<u>years,</u>
	suspension,	probation	<u>probatio</u>
	SPEC Exam	with	n up to a
	as condition	monitoring up	<u>maximu</u>
	of licensure	to a maximum	<u>m</u>
	reinstatement,	\$8,000 fine	<u>\$10,000</u>
	followed by 2	and three (3)	<u>fine</u>
	year probation	<u>year</u>	and/or
	with with	suspension,	<u>permane</u>
	monitoring.	six (6) hours	<u>nt</u>
		<u>Documentatio</u>	<u>revocatio</u>
		n and Coding	<u>n.</u>
		CE and	
		passage of the	
		SPEC Exam	
		as a condition	
		of license	
		reinstatement,	
		followed by	
		three (3)	
		years'	
		probation	
		with monitoring or	
		permanent revocation.	
(s) No		<u>revocation.</u>	
change.			
(t) Section	From a	From a	Permane
460.413(1)(1)	minimum	minimum	nt
or	\$3,000 fine	\$5,000 fine	Revocati
456.072(1)(y	and /or two (2)	and /or one	on.
), F.S.:	years'	year	
soliciting	probation, up	suspension	
patients or	to a maximum	followed by	
commercial	\$6,000 fine,	two (2) years'	
solicitation	two (2) year	probation, up	
from	suspension	to a maximum	
accident	followed by	\$10,000 fine,	
report	two (2) year	and	
information.	probation and	permanent	
	two (2) hours	revocation.	
	Ethics and		
	three (3) hours		
	Laws and Rules CE.		

(u) Section	In addition to	From a	From a
460.413(1)(three (3) hours	minimum of	minimu
m), F.S.:	Laws, Rules	\$2,500 fine	m \$7,500
medical	and Ethics and	and one (1)	fine and
recordkeepin	six (6) hours	year	two (2)
g.	Documentatio	suspension	years
8.	n and Coding	followed by	suspensi
	CE, from a	one (1) year	on,
	minimum	probation up	followed
	\$1,000 fine	to a maximum	by two
	and /or one (1)	\$10,000 fine,	(2)
	year probation	one (1) year	years'
	with records	suspension	probatio
	monitoring,	followed by	n with
	up to a	two (2) years'	records
	maximum	probation.	monitori
	\$3,000 fine,	production.	ng up to a
	six (6) months		maximu
	suspension,		m
	followed by		\$10,000
	one (1) year		fine and
	probation		permane
	with records		nt
	monitoring.		revocatio
	8		n.
(v) Section	In addition to	In addition to	From a
460.413(1)(n	three (3) hours	three (3) hours	minimu
) or	Laws and	Laws and	m \$7,500
456.072(1)(n	Rules and two	Rules and two	fine, two
), F.S.:	(2) hours	(2) hours	(2) years
exploit	Ethics CE,	Ethics CE	suspensi
patient for	from a	from a \$3,000	on
financial	minimum	fine, one (1)	followed
gain.	\$2,000 fine	year	by two
	and /or one (1)	suspension	(2)
	year	with passage	years'
	probation, up	of the SPEC	probatio
	to a maximum	Exam as a	n up to a
	\$4,000 fine	condition of	maximu
	and /or two (2)	reinstatement	m
	year	followed by	\$10,000
	suspension	two (2) year	fine and
	followed by	probation	permane
	two (2) years'	with	nt
	probation of	monitoring up	revocatio
	license.	to a maximum	n <u>.</u> ;
		\$7,500 fine or	
		permanent	
		revocation	
(w) Section	From a	From a	For a
460.413(1)(o	minimum	minimum	third

), F.S.:	\$1,000 fine	\$3,000 fine	offense,
unauthorized	and /or one (1)	and two (2)	from a
services.	year probation	years'	minimu
	with	probation	m \$5,000
	monitoring,	with	fine, two
	up to a	monitoring,	(2) year
	maximum	up to a	suspensi
	\$3,000 fine	maximum	on with
	and two (2)	\$5,000 fine,	passage
	years'	two (2) years	of the
	probation	suspension	SPEC
	with	with passage	Exam as
	monitoring,	of the SPEC	a
	8,	Exam as a	condition
		condition of	of
		license	license
		reinstatement	reinstate
		followed by	ment
		two (2) years'	followed
		probation	by two
		with	(2)
		monitoring or	years'
		permanent	probatio
		revocation.	n with
		10 / o cue o m	monitori
			ng, up to
			a
			maximu
			m
			\$10,000
			fine and
			permane
			nt
			revocatio
			n.
(x) Section	In addition to	\$10,000 fine	\$10,000
460.413(1)(p	three (3) hours	and	fine and
), F.S.:	Laws and	permanent	permane
dispensing	Rules and two	revocation.	nt
drugs/perfor	(2) hours	10 vocation.	revocatio
ming	Ethics CE,		n.
surgery.	from a		11.
Suigory.	minimum fine		
	of \$5,000		
	and /or one		
	year of		
	probation, up		
	to a maximum		
	fine of		
	\$10,000		
	and /or five (5)		
	and 01 11 vc (3)		

	year		
	*		
	suspension		
	with passage		
	of the SPEC		
	Exam as a		
	condition of		
	license		
	reinstatement		
	followed by		
	two (2) years'		
	probation.		
(y) No			
change.			
(z) Section	In addition to	From a	From a
460.413(1)(t)	three (3) three	<u>minimum</u>	minimu
or	hours Laws,	three (3) three	m
456.072(1)(o	Rules and	hours Laws,	\$10,000
), F.S.,	Ethics CE,	Rules and	fine and
practicing	from a	Ethics CE,	1 year
			-
beyond scope	minimum	\$2,500 fine	<u>suspensi</u>
or	\$1,000 fine	and one (1)	on up to a
competency.	and a letter of	year probation	<u>maximu</u>
	concern, up to	up to a	<u>m</u>
	<u>a maximum</u>	<u>maximum</u>	<u>\$10,000</u>
	\$3,000 fine	\$5,000 fine, 2	fine and
	and one (1)	year	permane
	year	suspension,	nt
	suspension	SPEC Exam	revocatio
	followed by	as condition	n.
	two (2) years'	of	<u></u>
	probation.		
	probation.	reinstatement	
		followed by 2	
		<u>years'</u>	
		probation or	
		<u>permanent</u>	
		revocation.	
i. Gross	From a	From a	From a
malpractice.	minimum	minimum	minimu
	\$2,500 fine,	\$5,000 fine	m
	up to a	and one (1)	\$10,000
	maximum	year	fine, two
	\$5,000 fine	suspension	(2) years
	and/or	followed by	
		•	suspensi on and
	permanent	one (1) year	
	revocation.	probation up	two (2)
		to a maximum	years'
		\$7,500 fine,	probatio
		three (3) year	n up to a
		suspension	maximu
		followed by	m
		three (3) year	\$10,000
	I.		

	T	T	1
		probation or	fine
		permanent	and/or
		revocation.	permane
			nt
			revocatio
			n.
ii. Repeated	From a	From a	\$10,000
malpractice.	minimum	minimum	fine and
	\$1,000 fine,	\$5,000 fine,	permane
	three (3) hours	two (2) year	nt
	Laws, Rules	suspension	revocatio
	and Ethics	and two (2)	n
	CE, and one	year probation	(minimu
	(1) year	up to a	m and
	suspension	maximum	maximu
	followed by	\$10,000 fine,	m same).
	one (1) year	four (4) year	
	probation up	suspension,	
	to a maximum	three (3) hours	
	\$6,000 fine,	Laws, Rules	
	two (2) year	and Ethics CE	
	suspension,	and passage of	
	three (3) hours	the SPEC	
	Laws, Rules	Exam as	
	and Ethics CE	conditions of	
	and passage of	license	
	the SPEC	reinstatement,	
	Exam as	followed by	
	conditions of	four (4) years'	
	license	probation	
	reinstatement,	with	
	followed by	monitoring or	
	two (2) year	permanent	
	probation	revocation.	
	with		
	monitoring or		
	permanent		
	revocation.		
iii.	For a first	From a	For a
Unacceptable	offense, from	minimum	third
level of care,	a minimum	\$5,000 fine	offense,
skill, and	\$3,000 fine, 1	and 2 year	from a
treatment.	year	suspension,	minimu
	suspension	passage of	m \$7,500
	followed by	SPEC Exam	fine, one
	two (2) years'	as condition	(1) year
	probation up	of license	suspensi
	to a maximum	renewal,	on then
	\$6,000 fine, 5	followed by	two (2)
	year	two (2) years'	vears,
	suspension,	probation	probatio
	baspension,	Production	produto

	T	T	
	SPEC Exam	with	n up to a
	as condition	monitoring up	maximu
	of licensure	to a maximum	m
	reinstatement,	\$8,000 fine	\$10,000
	followed by 2	and three (3)	fine
	year probation	year	and/or
	with	suspension,	permane
	monitoring.	six (6) hours	nt
		Documentatio	revocatio
		n and Coding	n.
		CE and	
		passage of the	
		SPEC Exam	
		as a condition	
		of license	
		reinstatement,	
		followed by	
		three (3)	
		years'	
		probation	
		with	
		monitoring or	
		permanent	
() a .	× 1111	revocation.	* 10.000
(aa) Section	In addition to	In addition to	\$10,000
460.413(1)(s	three (3) hours	three (3) hours	fine and
), F.S.:	Laws and	Laws and	permane
experimentat	Rules and two	Rules and two	nt
ion on human	(2) hours	(2) hours	revocatio
subjects	Ethics CE,	Ethics CE,	n.
without	from a \$2,000	from a	
consent.	fine and /or	minimum	
	five (5) years'	\$5,000 fine,	
	probation, up	one (1) year	
	to a maximum	suspension	
	of five (5)	and /or five (5)	
	year	years'	
	suspension,	probation up	
	passage of the	to permanent	
	SPEC Exam	revocation.	
	as condition		
	of		
	reinstatement,		
	followed by		
	two (2) years'		
	probation.		
(bb) Section	In addition to	In addition to	From a
460.413(1)(t)	three (3) hours	three (3) hours	minimu
or	Laws, Rules	Laws and	m
456.072(1)(o	and Ethics	Rules and two	\$10,000
), F.S.:	CE, a	(2) hours	fine up to
· · · · · · · · · · · · · · · · · · ·	ı ce, a		inc up to

		1	1
practicing	minimum	Ethics CE,	a
beyond the	\$2,500 fine	from a	maximu
scope	and /or one (1)	minimum	m
permitted or	year probation	\$5,000 fine	\$10,000
competent to	with	and /or two (2)	fine and
perform.	monitoring,	year	permane
	up to a	suspension	nt
	maximum two	followed by	revocatio
	(2) year	two (2) years'	n.
	suspension	probation up	
	followed by	to a maximum	
	two (2) years'	\$7,500 fine,	
	probation	four (4) year	
	with	suspension,	
		_	
	monitoring	passage of the SPEC Exam	
	and a \$5,000		
	fine.	as condition	
		of license	
		reinstatement,	
		followed by	
		four (4) year	
		probation.	
(cc) No			
change.			
(dd) Section	From a	In addition to	From a
460.413(1)(v	minimum	three (3) hours	minimu
) or	\$1,000 fine	Laws and	m \$7,500
456.072(1)(q	and a letter of	Rules and two	fine
), F.S.:	concern, up to	(2) hours	and /or
violating any	a maximum	Ethics CE,	six (6)
lawfully	three (3) hours	from a	month
issued order	Laws, Rules	minimum	suspensi
or subpoena.	and Ethics	\$3,000 fine	on
	CE.	and /or two (2)	followed
		years of	by
		probation up	probatio
		to a maximum	n up to a
		\$5,000 fine or	maximu
		one (1) year	m
		suspension.	\$10,000
		•	fine and
			permane
			nt
			revocatio
			n.
(ee) Section	From a	From a	From a
460.413(1)(minimum	minimum	minimu
w), F.S.	\$1,000 fine to	\$3,000 fine	m \$7,500
conspiring or	a maximum of	and six (6)	fine
committing	Letter of	months	and /or
_			
an act to	Concern and	suspension up	two (2)

prevent a	two (2) hours	to a maximum	year
licensee from	Ethics and	\$5,000 fine,	suspensi
advertising.	Three (3)	one (1) year	on
	hours Laws	suspension,	followed
	and Rules CE.	two (2) hours	by
		Ethics and	probatio
		Three (3)	n up to a
		hours Laws	maximu
		and Rules CE	m
		as conditions	\$10,000
		of	fine
		reinstatement	and/or
		of license.	permane
			nt
			revocatio
			n.
(ff) Section	From a	From a	\$10,000
460.413(1)(x	minimum	minimum	fine and
) or	\$3,000 fine	\$5,000 fine	permane
456345.072(and/or two (2)	and one (1)	nt
1)(ee), F.S.:	year (2)	year (1)	revocatio
submitting	probation, up	suspension	n.
claims for	to a maximum	followed by	11.
treatment not	\$5,000 fine or	two (2) years'	
provided.	one (1) year	probation	
provided.	suspension,	with	
	three (3) hours	monitoring to	
	Laws and	a maximum	
	Rules, two (2)	\$7,500 fine	
	hours Ethics	and /or five (5)	
	and six (6)	year	
	hours	suspension,	
	Documentatio	SPEC Exam	
	n and Coding	as condition	
	CE as	of licensure	
	conditions of	reinstatement,	
	licensure	followed by	
	reinstatement,	five (5) years'	
	followed by	probation	
	one (1) year	with	
	probation	monitoring.	
	with records		
	monitoring.		
(gg) Section	In addition to	In addition to	From a
460.413(1)(y	three (3) hours	three (3) hours	minimu
), F.S.:	Laws and	Laws and	m \$7,500
commingling	Rules CE,	Rules and two	fine
or conversion	from a	(2) hours	and /or
of patient	minimum	Documentatio	one (1)
funds and	\$2,000 fine	n and Coding	year
financial	and /or one (1)	CE, from a	suspensi

recordkeepin	year	minimum	on,
g.	probation, up	\$5,000 fine	followed
	to a maximum	and one (1)	by two
	\$4,000 fine,	year	(2)
	one (1) year	suspension	years'
	suspension	followed by	probatio
	followed by	one (1) year	n with
	one (1) year	probation	records
	probation	with records	monitori
	with records	monitoring to	ng up to a
	monitoring	a maximum of	maximu
	and three (3)	\$7,500 fine,	
			m ¢10,000
	hours Laws	five (5) year	\$10,000
	and Rules and	suspension,	fine and
	two (2) hours	passage of the	permane
	Ethics CE.	SPEC Exam	nt
		as condition	revocatio
		of	n.
		reinstatement	
		of license,	
		followed by	
		five (5) years'	
		probation	
		with records	
(11) (1)	Е	monitoring.	Б
(hh) Section	From	From a	From a
460.413(1)(z	minimum	minimum	minimu
), F.S.:	\$1,000 fine	\$3,000 fine	m of a
offering or	and /or a letter	and /or one (1)	\$10,000
accepting	of concern up	year probation	fine up to
payment by	to a maximum	with	a
assignment if	\$3,000 fine	monitoring to	\$10,000
it appears to	and three (3)	a maximum	fine and
eliminate	hours Laws,	\$5,000 fine	permane
requirement	Rules and	and one (1)	nt
for insured to	Ethics CE.	year	revocatio
pay	Eunes eE.	suspension	n.
deductible.		followed by	11.
acauciibie.		1	
		probation	
		with records	
		monitoring	
		and three (3)	
		hours Laws,	
		Rules and	
		Ethics CE.	
(ii) Section	From a	From a	From a
460.413(1)(a	minimum	minimum	minimu
a), F.S.:	\$1,000 fine	\$3,000 fine	m
failure to	and Letter of	and /or one (1)	\$10,000
provide	Concern up to	years'	fine up to
r	1 up to	1 /	ap 10

:	a maximum of		
insured with		probation to a	a
copy of claim	two (2) hours	maximum	maximu
(citation	Ethics and	\$4,000 fine,	m
offense).	Three (3)	two (2) hours	\$10,000
	hours Laws	Ethics and	fine and
	and Rules CE.	Three (3)	permane
		hours Laws	nt
		and Rules CE	revocatio
		and 3 years	n.
		suspension,	
		SPEC Exam	
		as condition	
		of license	
		reinstatement,	
		followed by	
		probation	
		with	
		monitoring.	
(jj) No		6.	
change.			
(kk) Sections	From a	From a	\$5,000
460.413(1)(c	minimum	minimum	fine, one
c), 456.062,	\$1,000 fine,	\$2,000 fine	(1) year
F.S.: failure	Letter of	and /or Letter	suspensi
of	Concern and	of Concern up	on
advertisemen	three hours	to one (1) year	followed
t to state	Laws, Rules	probation	by one
usual fee	and Ethics	with	(1) year
when offers	CE.	monitoring to	probatio
free or	02.	approve all	n with
discount		advertising	monitori
services		and three (3)	ng to
(citation		hours Laws,	approve
offense).		Rules and	all
		Ethics CE.	advertisi
			ng and
			three (3)
			hours
			Laws,
			Rules
			and
			Ethics
			CE.
(ll) Section	\$3,000 fine	From a	From a
460.413(1)(d	and /or one (1)	minimum of a	minimu
d), F.S.:	year	\$7,500 fine	m of a
using	probation,	and 3 year	\$10,000
acupuncture	Letter of	suspension,	fine up to
without	Concern, and	passage of the	a
certification.	three (3) hours	SPEC Exam	maximu
	Laws, Rules	as a condition	m
	,		

	and Ethics	of license	\$10,000
	CE.	reinstatement,	fine and
		followed by	permane
		two (2) years'	nt
		probation up	revocatio
		to a maximum	n.
		of a \$7,500	
		fine, three (3)	
		hours Laws,	
		Rules and	
		Ethics CE and	
		three (3) year	
		suspension	
		followed by	
		three (3) year	
		probation or	
		permanent	
		revocation of	
		acupuncture	
		certification.	
(mm) Section	From a	From a	From a
460.413(1)(e	minimum of a	minimum of a	minimu
e), F.S.:	letter of	\$2,000 fine	m \$5,000
failure to	concern	and one (1)	fine and
report	and /or a	year probation	two (2)
violation in	\$1,000 fine	up to a	year
the facility.	up to a	maximum	suspensi
	maximum	\$3,000 fine,	on
	Letter of	three (3) hours	followed
	Concern and	Laws, Rules	by two
	three (3) hours	and Ethics	(2) year
	Laws, Rules	CE, and two	probatio
	and Ethics	(2) year	n up to a
	CE.	probation.	maximu
			m \$7,500
			fine,
			passage
			of the
			SPEC
			Exam
			and three
			(3) hours
			Laws
			and
			Rules
			and two
			(2) hours
			Ethics
			CE.

(nn) Section	\$1,000 fine	From a	\$10,000
460.413(1)(ff	and /or a letter	minimum	fine and
),	of concern.	\$5,000 fine	permane
456.072(1)(b	of concern.	and /or two (2)	nt
			revocatio
), or		years'	
456.072(1)(d		probation up	n.
d), F.S.:		to a maximum	
violating		\$10,000 fine	
Chapter 460,		and	
Chapter 456,		permanent	
F.S., or any		revocation of	
Board rules.		license.	
(oo) No			
change.			
(pp) Section	In addition to	In addition to	From a
456.057(6),	three (3) hours	three (3) hours	minimu
F.S.: timely	Laws, Rules	Laws, Rules	m \$7,500
and	and Ethics	and Ethics	fine and
appropriate	CE, from a	CE, from a	one (1)
release of	minimum	minimum	year
medical	\$1,000 fine	\$2,500 fine	suspensi
records.	and /or a letter	and/or one (1)	on
records.	of concern up	year probation	followed
	to a maximum	to a maximum	by two
	\$3,000 fine	\$5,000 fine	(2)
	and one (1)	and six (6)	years'
	year of	month .	probatio
	probation.	suspension	n up to a
		followed by	maximu
		two (2) years'	m
		probation.	\$10,000
			fine
			and /or
			permane
			nt
			revocatio
			n.
(qq) No			
change.			
(rr) Section	In addition to	In addition to	From a
456.072(1)(d	passage of a	passage of a	minimu
), F.S.:	training/comp	training/comp	m
improper	etency course	etency course	\$10,000
usage of laser	for the device	for the device	fine, up
device.	type, from a	type, from a	to a
	minimum	minimum	maximu
	\$1,000 fine	\$3,000 fine	m
	and/or one (1)	and one (1)	\$10,000
	year probation	` ´	fine and
		year	
	up to a	suspension	permane

		C 11 1 1	,
	maximum	followed by	nt .
	\$3,000 fine	one (1) year	revocatio
	and two (2)	probation up	n.
	year	to a maximum	
	suspension	\$6,000 fine	
	followed by	and five (5)	
	two (2) years'	year	
	probation.	suspension,	
	1	SPEC Exam	
		as condition	
		of licensure	
		reinstatement,	
		followed by	
		-	
		five (5) years'	
() 6		probation.	-
(ss) Section	From a	From a	From a
456.072(1)(g	minimum	minimum of 2	minimu
), F.S.: found	\$2,000 fine to	hours Ethics	m
liable in civil	a maximum	CE, \$3,000	\$10,000
proceeding	\$3,000 fine, a	fine and one	fine up to
for	letter of	(1) year	a
knowingly	concern and	suspension	maximu
filing a false	two (2) hours	followed by	m
report or	Ethics CE.	one (1) year	\$10,000
complaint		probation to a	fine and
against		maximum	permane
another		\$5,000 fine	nt
licensee with		and /or three	revocatio
DOH.		(3) year	n.
2011.		suspension,	111
		SPEC Exam	
		and two (2)	
		hours Ethics	
		CE as	
		conditions of	
		licensure	
		reinstatement,	
		followed by	
		three (3)	
		years'	
		probation.	
(tt) No			
change.			
(uu) Section	From a	In addition to	From a
456.072(1)(r)	minimum	two (2) hours	minimu
, F.S.:	letter of	Ethics CE,	m \$5,000
improper	concern,	from a	fine up to
interference	\$1,000 fine	minimum	a
with	and /or one (1)	\$5,000 fine	maximu
investigation,	year of	and three (3)	m
,	probation up	year	\$10,000
	Probation up	jeui	Ψ10,000

inspection, or discipline.	to a maximum \$3,000 fine and two (2) hours Ethics CE.	suspension, SPEC Exam as condition of license reinstatement, followed by one (1) year probation up to a maximum \$5,000 fine or permanent	fine—and permane nt revocatio n.
		revocation.	
(vv) No change.			
(ww) Section 456.072(1)(x), F.S.: failure to comply with 30-day notification of convictions and nolo pleas.	\$1,000 fine and/or a letter of concern and three (3) hours Laws, Rules and Ethics CE.	From a minimum of a reprimand and a \$5,000 fine up to one (1) year suspension followed by probation and a \$10,000 fine.	From a minimu m \$10,000 fine up to a maximu m \$10,000 fine and/or permane nt revocatio
(xx) Section 456.072(1)(a	Suspension of license until	From a \$2,500 fine and	n. From a \$5,000
a), F.S.: testing positive on drug screening.	PRN evaluation and recommendati on of ability to practice with reasonable skill and safety to patients; if contract recommended , entry into contract and from a minimum \$1,000 fine and one (1) year suspension	suspension until PRN referral and/or evaluation followed by probation to a \$10,000 fine and permanent revocation.	fine, suspensi on until PRN referral and/or evaluatio n and five (5) years' probatio n up to a maximu m \$10,000 fine and or permane nt

	and /or two (2)		revocatio
	years'		n.
	probation and		
	referral for a		
	PRN		
	evaluation, up		
	to a maximum		
	of one (1) year		
	suspension		
	followed by		
	three (3)		
	years'		
	probation		
	with		
(rry) Castion	monitoring. In addition to	In addition to	Enom o
(yy) Section			From a minimu
456.072(1)(b b). F.S.:	six (6) hours	six (6) hours CE in	
- /,	CE in	02	m \$10,000
wrong	Documentatio	Documentatio	\$10,000
patient,	n and Coding,	n and Coding,	fine and
wrong-site,	from a	from a	or one
or wrong or	minimum	minimum	(1) year
unnecessary	\$1,000 fine	\$3,000 fine	probatio
procedure.	and /or a	and /or two (2)	n up to a
	reprimand, up	year .	maximu
	to a maximum	suspension	m
	\$3,000 fine	followed by	\$10,000
	and /or one (1)	two (2) year	fine and
	year	probation	permane
	suspension	with	nt
	followed by	monitoring up	revocatio
	one (1) year	to a maximum	n.
	probation	\$6,000 fine	
	with	five (5) year	
	monitoring.	suspension,	
		passage of the	
		SPEC Exam	
		as condition	
		of	
		reinstatement,	
		followed by	
		five (5) year	
		probation	
		with	
		monitoring.	
(zz) through			
(bbb) No			
change.			
(ccc) Section	From a	From a	From a
456.072(1)(jj	minimum of a	minimum of a	minimu
), F.S., for	letter of	reprimand,	m of a
	1	<u> </u>	ı

failing to	concern to one	\$3,000 fine	\$5,000
remit the sum	(1) year	and one (1)	fine and
owed to state	probation and	year	one (1)
for an	a \$1,000 fine	suspension	year
overpayment	to a maximum	followed by	suspensi
from	of a	one (1) year	on, to a
Medicaid	reprimand,	probation up	maximu
program	\$2,500 fine	to a maximum	m
pursuant to a	and /or two (2)	of \$6 10 ,000	\$10,000
final order,	year	fine, three (3)	fine and
judgment, or	suspension,	year	permane
stipulation or	three (3) hours	suspension	nt
settlement.	Laws, Rules	-	revocatio
settiement.	and Ethics and		
		three (3)	n.
	six (6) hours Documentatio	years'	
		probation,	
	n and Coding	passage of the	
	CE as	SPEC Exam,	
	conditions of	three (3) hours	
	reinstatement.	Laws, Rules	
		and Ethics and	
		six (6) hours	
		Documentatio	
		n and Coding	
		CE as	
		conditions of	
		license	
		reinstatement	
		or permanent	
		revocation.	
(ddd)			
through (fff)			
No change.			
(ggg) Section	From a	From a	\$10,000
456.072(1)(o	minimum	minimum	fine and
o), F.S.,	\$1,000 fine	\$5,000 fine	permane
willfully	and /or one (1)	and /or six (6)	nt
failing to	year of	month	revocatio
comply with	probation, up	suspension	n.
s. 627.64194	to a maximum	followed by	
or 641.513,	\$3,000 fine.	two (2) years	
F.S. as to		of probation	
indicate a		to a maximum	
business		\$10,000 fine	
practice –		and or	
regarding		permanent	
provision of		revocation.	
emergency			
services and			
insurance			
billing.			

(1.1.1.)			1
(hhh)			
through (iii)			
No change.			
(jjj) Failure	Written	Minimum of	Minimu
to comply	reprimand t	o reprimand,	m of
with Section	\$500 fine.	\$500 fine and	Reprima
456.51, F.S.,		3 hours Laws	nd,
regarding		and Rule	\$1,000
consent for		Laws, Rules	fine, 3
Pelvic		and Ethics s	hours
Exams.		CE to a	Laws,
		maximum of	Rules
		\$1,000 fine,	and
		one (1) year	Ethics
		suspension	CE and
		followed by	passage
		two (2) years'	of
		probation	national
		with records	Ethics
		review and/or	and
		chaperone.	Boundari
			es Exam
			to a
			maximu
			m of
			\$10,000
			fine and
			permane
			nt
			revocatio
			n.

- (3) The Board may take into consideration the following factors in determining the appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:
 - (a) through (k) No change.
- (l) The actual negligence of the licensee pertaining to any violation.

(m) Any other mitigating or aggravating circumstances.

- (4) When the Board orders probation, that probation will automatically include monitoring by either the Department of Health Compliance Management Unit and/or a Board-approved Monitor. If the type of monitor is not specified, monitoring shall be by the DOH/CMU. Unless otherwise specified, if monitoring by a Board-approved Monitor is ordered, such monitoring shall be at random intervals as chosen by the Monitor, and shall be either with or without advance notice to the Respondent, at the discretion of the Monitor. In addition to monitoring any or all of the following conditions may be imposed as terms of probation:
 - (a) through (l) No changes.

(m) Successful completion of the Special Purposes Examination (SPEC) examination of the National Board of Chiropractic Examiners.:

(n) Other conditions as appropriate.

Rulemaking Authority 456.039(3), 456.072, 456.079, 460.405, 460.413 FS. Law Implemented 456.039(3), 456.072, 456.079, 460.413(4) FS. History—New 1-10-80, Formerly 21D-16.03, Amended 1-28-87, 1-28-90, 6-24-93, Formerly 21D-16.003, Amended 10-26-93, Formerly 61F2-16.003, Amended 7-18-95, Formerly 59N-16.003, Amended 11-4-98, 6-6-02, 5-23-04, 4-13-05, 9-15-05, 2-6-06, 5-11-10,________.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christina Mcginnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)488-0595 or by electronic mail – Christina.Mcginnis@flhealth.gov

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE

64B8-44.003 Disciplinary Guidelines

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., FS, published in Vol. 46, No. 224, of the November 17, 2020, issue of the Florida Administrative Register. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a meeting held June 4, 2021. The changes are as follows:

Substantial reword of Rule 64B8-44.003 follows. See Florida Administrative Code for present text.

64B8-44.003 Disciplinary Guidelines.

(1) When the Board finds any person has committed any of the acts set forth in section 456.072(1) or Chapter 468, Part X, F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines. The language identifying offenses below is descriptive only. The full language of each statutory provision cited must be consulted to determine the conduct included.

RECOMMENDED RANGE OF PENALTY					
	<u>FLORIDA</u> <u>LICENSES</u>		TELEHEALTH REGISTRANTS		
VIOLATION	FIRST OFFENS E	ADDITI ONAL OFFENS E	FIRS T OFFE NSE	ADDIT IONAL OFFEN SE	

(a) Violating	\$150 fine	Probation	Suspe	Revocat
any provision	and /or	and /or	nsion	ion.
of Chapter	continuin_	\$200 fine	<u>and</u>	
468, part X,	<u>g</u>	<u>to</u>	correc	
any board or	educatio	Revocati	<u>tive</u>	
department	n to	on and	action	
rule adopted	probatio	\$1,000	plan	
<u>pursuant</u>	n and /or	fine.	to	
thereto, or	\$1,000		Revoc	
any lawful	fine.		ation.	
order of the				
board or				
department				
<u>previously</u>				
entered in a				
disciplinary				
hearing held				
pursuant to				
Chapter 468,				
part X, or				
failing to				
comply with				
<u>a lawfully</u>				
issued				
subpoena of				
<u>the</u>				
department.				
(Sections				
468.518(1)(a)				
<u>,(n),</u>				
456.072(1)(b)				
(dd),(k),(q),				
<u>F.S.)</u>				

-	•	•		,
(b) Being	<u>Suspensi</u>	Suspensi	Suspe	Revocat
unable to	on until	on until	nsion	ion.
engage in	<u>such</u>	such time	<u>and</u>	
dietetics and	time as	as the	correc	
<u>nutrition</u>	<u>the</u>	licensee	<u>tive</u>	
practice or	<u>licensee</u>	<u>can</u>	<u>action</u>	
<u>nutrition</u>	<u>can</u>	<u>provide</u>	<u>plan</u>	
counseling	<u>provide</u>	proof of	<u>to</u>	
with	proof of	<u>reasonabl</u>	revoc	
<u>reasonable</u>	reasonab	<u>e skill</u>	ation.	
skill and	<u>le skill</u>	<u>and</u>		
safety to	and	safety to		
patients by	safety to revocatio	revocatio		
reason of		<u>n.</u>		
illness or use	<u>n.</u>			
of alcohol,				
<u>drugs,</u>				
narcotics,				
chemicals, or				
any other				
type of				
material or as				
a result of				
any mental or				
<u>physical</u>				
condition.				
(Sections				
468.518(1)(b)				
±				
456.072(1)(z)				
<u>, F.S.)</u>				

(d) Having a	<u>Reprima</u>	<u>\$1,000</u>	<u>Repri</u>	Suspens
<u>license to</u>	nd, laws	fine,	<u>mand</u>	ion and
<u>practice</u>	and rules	suspensio	<u>to</u>	<u>correcti</u>
dietetics and	<u>continuin</u>	n and/or	suspe	<u>ve</u>
nutrition or	<u>g</u>	probation	nsion	action
<u>nutrition</u>	<u>educatio</u>	<u>to</u>	<u>and</u>	<u>plan to</u>
counseling	<u>n to</u>	<u>revocatio</u>	correc	<u>revocati</u>
revoked,	\$1,000	<u>n.</u>	<u>tive</u>	on.
suspended, or	fine, and		action	
otherwise	<u>suspensi</u>		<u>plan.</u>	
acted against,	on of			
including the denial of	<u>license</u>			
licensure by	<u>until</u>			
the licensing	unencum			
authority of	bered in			
another state,	<u>other</u>			
district,	<u>jurisdicti</u>			
territory, or	on, laws			
country.	and rules			
(Sections	continuin			
468.518(1)(d)	g			
2	<u>educatio</u>			
456.072(1)(f)	<u>n.</u>			
<u>, F.S.)</u>				

(e) Being	\$1,000	\$1,000	Suspe	Suspens
convicted or	fine and	fine, and	nsion	ion and
found guilty	<u>probatio</u>	probation	<u>and</u>	correcti
of, or	n to	to	correc	<u>ve</u>
entering a	revocatio	revocatio	tive	action
plea of nolo	n and	n and	action	plan to
<u>contendere</u>	\$1,000	\$1,000	plan	revocati
to, regardless	fine.	fine.	to	on.
<u>of</u>			revoc	
adjudication,			ation.	
a crime in				
<u>any</u>				
<u>jurisdiction</u>				
which				
<u>directly</u>				
relates to the				
practice of				
dietetics and				
nutrition or				
<u>nutrition</u>				
counseling or				
the ability to				
<u>practice</u>				
dietetics and				
nutrition or				
<u>nutrition</u>				
counseling.				
(Sections				
468.518(1)(e)				
1				
456.072(1)(c)				
, F.S.)				

(f) Making or	<u>Letter of</u>	One year	Letter	<u>Suspens</u>
filing a report	concern	<u>probation</u>	<u>of</u>	ion and
or record that	and/or	and/or	conce	<u>correcti</u>
the licensee	\$300 fine	\$1,500	<u>rn to</u>	<u>ve</u>
knows to be	<u>to</u>	fine to	suspe	<u>action</u>
<u>false</u> ,	<u>probatio</u>	<u>revocatio</u>	<u>nsion</u>	<u>plan to</u>
<u>willfully</u>	n and	n and	<u>and</u>	<u>revocati</u>
failing to file	\$1,500	\$10,000	correc	on.
a report or	fine.	<u>fine.</u>	<u>tive</u>	
<u>record</u>			action	
required by			<u>plan.</u>	
state or				
federal law,				
<u>willfully</u>				
impeding or				
obstructing				
such filing, or				
inducing				
<u>another</u>				
person to				
impede or				
obstruct such				
468.518(1)(f)				
456.072(1)(g) F.S.)				
filing. (Sections 468.518(1)(f) - 456.072(1)(g) , F.S.)				

	T	T		T
<u>(g)</u>				
<u>Advertising</u>				
goods or				
services in a				
manner that				
is fraudulent,				
false,				
deceptive, or				
misleading in				
form or	<u>Letter of</u>	Suspensi	Repri	Suspens
content, or	concern	on and	mand	ion and
employing a	and \$300	<u>\$2,500</u>	<u>to</u>	correcti
trick of	fine to	fine to	suspe	<u>ve</u>
<u>scheme</u>	<u>suspensi</u>	revocatio	nsion	action
related to the	on and	<u>n.</u>	<u>and</u>	<u>plan to</u>
profession.	<u>\$1,500</u>		correc	<u>revocati</u>
(Sections	fine.		<u>tive</u>	on.
468.518(1)(g)		<u>\$10,000</u>	action	
1	\$10,000	fine and	<u>plan.</u>	Revocat
456.072(1)(a)	fine to	<u>probation</u>		ion.
<u>,(m), F.S.)</u>	\$10,000	<u>to</u>	Suspe	
	fine and	<u>\$10,000</u>	<u>nsion</u>	
<u>1. If</u>	revocatio	fine and	<u>and</u>	
misleading or	<u>n.</u>	revocatio	correc	
deceptive.		<u>n.</u>	<u>tive</u>	
			action	
			<u>plan</u>	
			<u>to</u>	
			revoc	
2. If			ation.	
<u>fraudulent</u>				
representatio				
n found.				

l	<u>(h)</u>				
	Committing				
	an act of				
	fraud or				
	deceit, or of				
	negligence,				
	incompetency				
	<u>, or</u>				
	misconduct in	Letter of	<u>Suspensi</u>	<u>Repri</u>	Suspens
	the practice	concern	on and	<u>mand</u>	ion and
	of dietetics	and \$300	\$2,500	<u>to</u>	correcti
	and nutrition	fine to	fine to	<u>suspe</u>	<u>ve</u>
	or nutrition	<u>suspensi</u>	<u>revocatio</u>	nsion	action
	counseling.	on and	<u>n.</u>	<u>and</u>	<u>plan to</u>
	(Section	\$1,500		correc	<u>revocati</u>
	468.518(1)(h)	fine.		<u>tive</u>	on.
	<u>, F.S.)</u>		\$10,000	action	
		\$10,000	fine and	<u>plan.</u>	Revocat
	<u>1. If</u>	fine to	<u>probation</u>		ion.
	negligence,	\$10,000	<u>to</u>	Suspe	
	incompetency	fine and	\$10,000	nsion	
	<u>or</u>	<u>revocatio</u>	fine and	<u>and</u>	
	misconduct.	<u>n.</u>	<u>revocatio</u>	correc	
			<u>n.</u>	<u>tive</u>	
				<u>action</u>	
				<u>plan</u>	
	2. If by fraud			<u>to</u>	
	or deceit.			<u>revoc</u>	
				<u>ation</u>	
	(i) Practicing	\$250 fine	Probation	<u>Repri</u>	Suspens
	with a	and	, \$2,500	<u>mand</u>	ion and
	revoked,	<u>continuin</u>	fine to	<u>to</u>	<u>correcti</u>
	suspended,	g	<u>revocatio</u>	<u>suspe</u>	<u>ve</u>
	inactive, or	<u>educatio</u>	<u>n.</u>	<u>nsion</u>	action
	<u>delinquent</u>	n to		<u>and</u>	<u>plan to</u>
	license.	\$1,000		correc	<u>revocati</u>
	(Section	fine and		<u>tive</u>	on.
	468.518(1)(i),	<u>continuin</u>		action	
	<u>F.S.)</u>	<u>g</u>		<u>plan.</u>	
		<u>educatio</u>			
		n.			

(j) Treating	\$250 fine	\$400 fine	<u>Repri</u>	Suspens
<u>or</u>	<u>and</u>	<u>and</u>	mand	ion and
<u>undertaking</u>	<u>probatio</u>	probation	<u>to</u>	correcti
to treat	<u>n to</u>	to \$2,500	suspe	<u>ve</u>
<u>human</u>	<u>\$1,000</u>	fine and	nsion	action
ailments by	fine and	probation	<u>and</u>	<u>plan to</u>
means other	<u>probatio</u>	and/or	correc	<u>revocati</u>
than by	n and/or	suspensio	<u>tive</u>	on.
dietetics and	<u>suspensi</u>	<u>n.</u>	action	
<u>nutrition</u>	on.		<u>plan.</u>	
practice or				
<u>nutrition</u>				
counseling.				
(Section				
468.518(1)(j),				
456.072(1)(o)				
<u>, F.S.)</u>				
(k) Failing to	\$100 fine	\$350 fine	Repri	Suspens
<u>maintain</u>	<u>and</u>	<u>and</u>	mand	ion and
acceptable	probatio	<u>suspensio</u>	<u>to</u>	correcti
standards of	<u>n to</u>	<u>n to</u>	suspe	<u>ve</u>
practice as set	\$1,000	revocatio	<u>nsion</u>	action
forth by the	fine and	<u>n.</u>	<u>and</u>	plan to
board and the	probatio		correc	revocati
council in	<u>n.</u>		<u>tive</u>	on.
rules adopted			action	
pursuant to			<u>plan.</u>	
this part.				
(Section				
486.518(1)(k)				
<u>, F.S.)</u>				

(l) Engaging	<u>\$1,000</u>	\$3,500	Suspe	Suspens
directly or	fine and	fine and	nsion	ion and
indirectly in	<u>probatio</u>	suspensio	and	correcti
the dividing,	<u>n to</u>	n to	correc	<u>ve</u>
transferring,	<u>\$2,500</u>	revocatio	tive	action
assigning,	fine and	n.	action	plan to
rebating, or	<u>suspensi</u>		plan.	revocati
refunding of	on.		<u>pruri</u>	on.
fees received				<u> </u>
<u>for</u>				
professional				
services, or				
profiting by				
means of a				
credit or				
<u>other</u>				
valuable				
consideration,				
such as an				
unearned				
commission,				
discount, or				
gratuity, with				
any person				
referring a				
patient or				
with any				
relative or				
<u>business</u>				
associate of				
the referring				
person.				
(468.518(1)(1				
), F.S.)				

	Г			
(m) Advertising, by or on behalf of a licensee under this part, any method of assessment or treatment which is experimental or without generally accepted scientific validation. (Section 468.518(1)(m), F.S.)	\$500 fine and/or suspensi on to \$1,000 fine and revocatio n.	\$2,000 fine and suspensio n to \$2,500 fine and revocatio n.	Repri mand to suspe nsion and correc tive action plan.	Suspens ion and correcti ve action plan to revocati on.
(n) Failing to comply with the educational course requirements for human immunodefici ency virus and acquired immune deficiency syndrome, required by Section 456.003, F.S. or failing to comply with the educational course requirements for human trafficking as required by Section 456.0341, F.S. (Section 456.072(1)(e), F.S.)	Reprima nd, \$100 fine and proof of completi on of CE to \$500 fine and probatio n.	\$1,000 fine and probation to \$2,000 fine and probation	Repri mand to suspe nsion and correc tive action plan.	Suspens ion and correcti ve action plan.

(o) Failure to keep written medical records (Rule 64B8-44.004, F.A.C.)	Reprima nd and \$100 fine to \$500 fine and probatio n.	\$500 fine and probation to \$2,000 fine and suspensio n.	Repri mand to suspe nsion and correc tive action plan.	Suspens ion and correcti ve action plan.
(p) Except as provided in s. 465.016, failing to report to the department any person who the licensee knows is in violation of Chapter 456, and Chapter 468, Pat X, or the rules of the department or the board. (Section 456.072(1)(i)	Letter of concern to \$1,000 fine and repriman d.	Reprima nd, and \$1,000 fine to \$1,000 fine and suspensio n.	Letter of conce rn to suspe nsion and correc tive action plan.	Suspens ion and correcti ve action plan.
(q) Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party. (Section 456.072(1)(n) , F.S.)	Probatio n and continuin g educatio n to revocatio n.	Revocati on.	Suspe nsion and correc tive action plan.	Revocat ion.

(r) Delegating	<u>Letter of</u>	Suspensi	Repri	Suspens	(t) Failing to	Letter
or contracting	Concern	on and	mand	ion and	identify	Concer
for the	to \$500	<u>\$1,500</u>	<u>to</u>	<u>correcti</u>	<u>through</u>	to \$100
<u>performance</u>	fine,	fine to	suspe	<u>ve</u>	<u>written</u>	fine.
<u>of</u>	<u>probatio</u>	revocatio	nsion	action	notice, which	
professional	n and	n and	and	<u>plan.</u>	may include	
<u>responsibiliti</u>	continuin	<u>\$1,500</u>	correc		the wearing	
es by a	g	fine.	<u>tive</u>		of a name	
person when	<u>educatio</u>		<u>action</u>		tag, or orally	
the licensee	<u>n.</u>		<u>plan.</u>		to a patient	
delegating or					the type of	
contracting					<u>license under</u>	
<u>for</u>					which the	
<u>performance</u>					practitioner is	
of the					practicing.	
<u>responsibiliti</u>					Any	
es knows, or					advertisement	
has reason to					for health	
know, the					care services	
person is not					naming the	
qualified by					practitioner	
training,					must identify	
experience,					the type of	
and					license the	
authorization					practitioner	
when					<u>holds.</u>	
required to					(Section	
<u>perform</u>					456.072(1)(t),	
them.					<u>F.S.)</u>	
(Section					(u) Failing to	Reprin
456.072(1)(p)					comply with	nd to
)					the	\$500 fi
<u>(s)</u>	Reprima	\$500	Letter	Suspens	requirements	and
<u>Improperly</u>	nd and	fine,	of	ion and	of ss. 381.026	reprima
interfering	\$250 fine	probation	conce	correcti	and 381.0261	d and
with an	to \$500	and	rn to	ve	to provide	continu
investigation	fine and	continuin	suspe	action	patients with	g
or inspection	continuin	g	nsion	plan.	information	educati
authorized by	<u>g</u>	education	and		about their	<u>n.</u>
statute, or	educatio	to \$2000	correc		patient rights	
with any	<u>n.</u>	fine and	tive		and how to	
disciplinary	_	suspensio	action		file a patient	
proceeding.		<u>n.</u>	plan.		complaint.	
(Section		_	-		(Section	
456.072(1)(r)					456.072(1)(u)	
, F.S.)					, F.S.)	
	1	1	1	1	1	

(t) Failing to	Letter of	\$100 fine	Letter	Reprim
identify	Concern	to \$500	of	and.
through	to \$100	fine.	Conce	
written	fine.		rn to	
notice, which			repri	
may include			mand.	
the wearing				
of a name				
tag, or orally				
to a patient				
the type of				
license under				
which the				
practitioner is				
practicing.				
Any				
advertisement				
for health				
care services				
naming the				
practitioner				
must identify				
the type of				
license the				
practitioner				
holds.				
(Section				
456.072(1)(t),				
<u>F.S.)</u>				
(u) Failing to	Reprima	\$500 fine	<u>Repri</u>	Suspens
comply with	<u>nd to</u>	and and	<u>mand</u>	ion and
<u>the</u>	\$500 fine	<u>repriman</u>	<u>to</u>	correcti
<u>requirements</u>	<u>and</u>	d and	suspe	<u>ve</u>
of ss. 381.026	<u>repriman</u>	continuin	nsion	<u>action</u>
and 381.0261	d and	g	<u>and</u>	<u>plan.</u>
to provide	continuin	education	correc	
patients with	g	to \$1,000	<u>tive</u>	
<u>information</u>	<u>educatio</u>	fine and	action	
about their	<u>n.</u>	<u>probation</u>	<u>plan.</u>	
patient rights		<u> </u>		
and how to				
file a patient				
complaint.				
(Section				
456.072(1)(u)				
<u>, F.S.)</u>				

(v) Engaging	\$500 fine	Revocati	Suspe	Revocat
or attempting	<u>and</u>	on.	<u>nsion</u>	ion.
to engage in	<u>probatio</u>		<u>and</u>	
<u>sexual</u>	<u>n to</u>		correc	
misconduct	revocatio		<u>tive</u>	
as defined	<u>n.</u>		action	
<u>and</u>			plan	
prohibited in			to	
Sections			revoc	
<u>456.063.</u>			ation.	
(Section				
456.072(1)(v)				
<u>, F.S.)</u>				
(w) Failing to	<u>Reprima</u>	<u>Reprima</u>	<u>Repri</u>	Suspens
report to the	nd and	nd and	<u>mand</u>	ion and
board, or the	\$100 fine	\$500 fine	<u>top</u>	<u>correcti</u>
department if	and	<u>\$1,000</u>	suspe	<u>ve</u>
there is no	<u>continuin</u>	fine and	nsion	action
board, in	g	<u>suspensio</u>	<u>and</u>	<u>plan.</u>
writing	<u>educatio</u>	<u>n.</u>	correc	
within 30	<u>n to</u>		<u>tive</u>	
days after the	<u>repriman</u>		action	
<u>licensee has</u>	d to \$500		<u>plan.</u>	
<u>been</u>	fine and			
convicted or	continuin_			
found guilty	g			
of, or entered	<u>educatio</u>			
a plea of nolo	<u>n.</u>			
<u>contendere</u>				
to, regardless				
<u>of</u>				
adjudication,				
a crime in				
any				
jurisdiction.				
(Section				
456.072(1)(x)				
<u>, F.S.)</u>				

(x) Using	Letter of	\$500 fine	Repri	Suspens
<u>information</u>	Concern	and	mand	ion and
about people	to \$500	<u>repriman</u>	<u>to</u>	correcti
involved in	fine and	d to	suspe	<u>ve</u>
motor vehicle	repriman	suspensio	nsion	action
<u>accidents</u>	d.	<u>n.</u>	and	plan.
which has	_		correc	
been derived			tive	
from accident			action	
reports made			plan.	
<u>by law</u>			<u>pruri</u>	
enforcement				
officers or				
<u>persons</u>				
involved in				
<u>accidents</u>				
<u>under s.</u>				
316.066, or				
using				
<u>information</u>				
published in a				
newspaper or				
other news				
publication or				
through a				
<u>radio or</u>				
<u>television</u>				
broadcast that				
<u>has used</u>				
<u>information</u>				
gained from				
such reports,				
for the				
<u>purposes of</u>				
commercial				
or any other				
solicitation				
whatsoever of				
the people				
involved in				
the accidents.				
(Section				
456.072(1)(v)				
<u>, F.S.)</u>				

L () m · ·	T	Ι	ı	1
(y) Testing	<u>Suspensi</u>	<u>Suspensi</u>	<u>Suspe</u>	Suspens
positive for	on until	on until	nsion	ion and
any drug, as	evaluatio	evaluatio	and	correcti
defined in s.	n by a	n by a	correc	ve
112.0455, on	licensed	licensed	tive	action
any	health	health	action	plan to
confirmed				
preemployme	care	care	<u>plan.</u>	<u>revocati</u>
nt or	<u>practitio</u>	practition		on.
employer-	<u>ner</u>	<u>er</u>		
ordered drug	qualified	<u>qualified</u>		
_	<u>by skill</u>	by skill		
screening	<u>and</u>	<u>and</u>		
when the	training	training		
practitioner	to	to		
does not have	address	address		
<u>a lawful</u>	responde	responde		
prescription	nt's	nt's		
<u>and</u>	condition	condition		
<u>legitimate</u>	COMMITTON	COHUILIOH		
<u>medical</u>	1.	1.		
reason for	complian	complian		
using the	ce with	ce with		
drug.	<u>all</u>	<u>all</u>		
(Section	recomme	recomme		
456.072(1)(aa	ndation.	ndations		
), F.S.)		to		
<u>), 1/</u>		revocatio		
		n.		
(z) With	\$1,000	\$5,000	Suspe	Suspens
respect to	fine and	fine and	nsion	ion and
making a				
personal	<u>probatio</u>	probation	<u>and</u>	correcti
_	<u>n to</u>	<u>to</u>	correc	ve .
<u>injury</u>	\$2,500	revocatio	<u>tive</u>	action
protection	fine and	<u>n.</u>	action	plan
claim as	<u>probatio</u>		<u>plan.</u>	revocati
required by s.	<u>n.</u>			on.
<u>627.736,</u>				
<u>intentionally</u>				
submitting a				
<u>claim,</u>				
statement, or				
bill that has				
<u>been</u>				
"upcoded" as				
defined in s.				
<u>627.732.</u>				
	I	I	I	1
Section				
Section 456 072(1)(ee.				
Section 456.072(1)(ee), F.S.				

(aa) With	Reprima	\$5,000	Suspe	Suspens
respect to	nd and	fine and	nsion	ion and
making a	<u>\$1,000</u>	<u>suspensio</u>	<u>and</u>	<u>correcti</u>
<u>personal</u>	fine to	<u>n to</u>	correc	<u>ve</u>
<u>injury</u>	\$2,500	<u>revocatio</u>	<u>tive</u>	<u>action</u>
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(2) All guidelines allow for the imposition of continuing education without a finding of aggravating factor regardless of the penalty stated.

- (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 below. The Board shall consider as aggravating or mitigating factors the following:
- (a) Exposure of patients or public to injury or potential injury, physical or otherwise; none, slight, severe, or death,
- (b) Legal status at the time of the offense; no restraints, or legal constraints,
 - (c) The number of counts or separate offenses established,
- (d) The number of times the same offense or offenses have previously been committed by the licensee or applicant,
- (e) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice,
- (f) Pecuniary benefit or self-gain inuring to the applicant or licensee,
- (g) Any efforts at rehabilitation, attempts by the licensee to correct or to stop violations, or refusal by the licensee to correct or to stop violations.
- (4) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

Rulemaking Authority 456.072(1)(t), 456.079, 458.309, 468.507 FS. Law Implemented 456.072(1)(t), 456.079, 468.517, 468.518(2) FS. History–New 12-4-90, Formerly 21M-50.003, Amended 6-22-94, Formerly 61F6-50.003, 59R-44.003, Amended 3-16-98, 8-19-99, 9-28-00, 9-26-01, 2-13-03, 4-10-06, 1-8-07, 5-13-10, 7-13-16

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Dietetic and Nutrition Practices Council, Board of Medicine, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, or telephone (850)245-4444, or by electronic mail – Allen.Hall@flhealth.gov.

Section IV Emergency Rules

DEPARTMENT OF HEALTH

RULE NO.: RULE TITLE:

64ER21-10 MMTC Authorization Procedures SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to Chapter 2020-114, § 14, Laws of Florida, the Department is not required to make findings of an immediate danger to the public, health, safety, or welfare.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Department of Health is directed by Chapter 2020-114, § 14, Laws of Florida,

to adopt emergency rules to implement section 381.986, Florida Statutes.

SUMMARY: Emergency Rule 64ER21-10 establishes procedures for a medical marijuana treatment center to obtain cultivation, processing, and dispensing authorizations from the Department of Health.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Christopher Ferguson at Christopher.Ferguson@flhealth.gov.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64ER21-10 MMTC Authorization Procedures.

- (1) An MMTC may not cultivate marijuana until it has received cultivation authorization from the department.
- (2) An MMTC may not process marijuana until it has received processing authorization from the department.
- (3) An MMTC may not dispense marijuana or marijuana delivery devices until it has received dispensing authorization from the department.
- (4) An MMTC must obtain cultivation authorization prior to receiving processing authorization.
- (5) An MMTC must obtain processing authorization prior to receiving dispensing authorization.
- (6) Marijuana may not be present at any MMTC facility prior to the MMTC's receipt of the appropriate written notice of approval of the facility to cultivate, process, or dispense marijuana or marijuana delivery devices.
- (7) Within 60 calendar days of licensure, an MMTC shall request cultivation authorization by submitting a completed Form DH8027-OMMU-06/2021 "Request for Authorization," incorporated by reference herein and available at https://knowthefactsmmj.com/rules-and-regulations/, to the department. An MMTC must have the ability to begin cultivating marijuana upon requesting cultivation authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.
- (a) Upon receipt of a completed "Request for Authorization" form, the department will inspect the MMTC's cultivation facility(ies) and operations within 14 business days.
- (b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department's rules, and the representations made in the MMTC's application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting cultivation authorization or identifying any omissions, deficiencies, or violations.
- (c) Within seven (7) calendar days of the MMTC's receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the

- omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC's corrective action plan.
- (d) All corrections must be completed within 30 calendar days of the MMTC's receipt of the department's written notice identifying the omissions, deficiencies, or violations.
- (e) The MMTC's cultivation facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.
- (8) Within 120 calendar days of licensure, an MMTC shall request processing authorization by submitting a completed "Request for Authorization" form to OMMULicenseOperation@flhealth.gov. An MMTC must have the ability to begin processing marijuana upon requesting processing authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.
- (a) <u>Upon receipt of a request for processing authorization</u>, the MMTC's processing facility(ies) and operations will be inspected by the department within 14 business days.
- (b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department's rules, and the representations made in the MMTC's application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting processing authorization or identifying any omissions, deficiencies, or violations.
- (c) Within seven (7) calendar days of the MMTC's receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC's corrective action plan.
- (d) All corrections must be completed within 30 calendar days of the MMTC's receipt of the department's written notice identifying the omissions, deficiencies, or violations.
- (e) The MMTC's processing facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.
- (9) Within 180 calendar days of licensure, an MMTC shall request dispensing authorization by submitting a completed "Request for Authorization" form to OMMULicenseOperation@flhealth.gov. An MMTC must have the ability to dispense marijuana upon requesting dispensing authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.

- (a) Upon receipt of a request for dispensing authorization, the MMTC's dispensing facility(ies) and operations will be inspected by the department within 14 business days.
- (b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department's rules, and the representations made in the MMTC's application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting dispensing authorization or identifying any omissions, deficiencies, or violations.
- (c) Within seven (7) calendar days of the MMTC's receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC's corrective action plan.
- (d) All corrections must be completed within 30 calendar days of the MMTC's receipt of the department's written notice.
- (e) The MMTC's dispensing facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.
- (10) For any MMTC licensed before the effective date of this rule and for which cultivation authorization, processing authorization, or dispensing authorization has not been granted, the date of licensure, for the purposes of this rule only, shall be deemed the effective date of this rule.
- (11) Failure to comply with the requirements of this rule is grounds for disciplinary action, up to and including, license revocation.

Rulemaking Authority 381.986(8)(k), FS. Law Implemented 381.986 FS. History – New 06-22-21.

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

EFFECTIVE DATE: June 22, 2021

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District hereby gives notice:

that on June 24, 2021, it issued a Final Order granting Tiger Bay Mitigation, LLC a variance from the provisions of Rules 62-342.700(5)(b), 62-342.700(10)(b), and 62-342.700(11)(b),

F.A.C., governing financial assurance for mitigation banks. The Petition was received on March 25, 2021 and assigned F.O.R. No. 2021-13. Notice of receipt of the Petition was published in the Florida Administrative Register on April 5, 2021, and no public comment was received. Petitioner demonstrated it would suffer substantial economic hardship if the variance was not granted and demonstrated the variance serves the purposes of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Thomas Mayton, Jr., St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, telephone (386) 329-4108, or e-mail tmayton@sjrwmd.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On June 1, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from BELIEVIN LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 47/106 on June 2, 2021. The Order for this Petition was signed and approved on June 24, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 25, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from CISCO'S CAFE LLC located In Orlando. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday July 8, 2021, 1:00 p.m. until conclusion

PLACE: Teleconference – 1-877-309-2074; Access Code: 219-206-087 (audio) and

https://attendee.gotowebinar.com/register/1265972606238860 816

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business.

A copy of the agenda may be obtained by contacting: Ned Hance at Ned.Hance@myfloridalegal.com or by accessing the board's website at:

http://myfloridalegal.com/__85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Ned Hance at Ned.Hance@myfloridalegal.com by telephone at (813)287-7140.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Pest Control Enforcement Advisory Council (PCEAC) announces a public meeting to which all persons are invited.

DATE AND TIME: July 14, 2021, 10:00 a.m.

PLACE: Due to COVID 19, this meeting will be held via GoToMeeting ONLY. GoToMeeting:

https://global.gotomeeting.com/join/668964445

TELECONFERENCE INFORMATION: You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

United States: +1 (571) 317-3129 Access Code: 668-964-445

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the Council.

A copy of the agenda may be obtained by contacting: Mr. Jerry Everton, Chief, Bureau of Licensing and Enforcement, (850) 617-7997, Gerald.Everton@fdacs.gov.

For more information, you may contact: Mr. Jerry Everton, Chief, Bureau of Licensing and Enforcement, (850) 617-7997, Gerald.Everton@fdacs.gov.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, July 8, 2021, 5:30 p.m.

PLACE: Virtually on GoTo Webinar; By phone at 1-866-901-6455 with passcode 111-115-295; In-Person at St. Luke's Lutheran Church

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Number: 445221-1

A public meeting will be held regarding project plans on State Road (S.R.) 426 from west of S.R. 417 to Eyrie Drive. (FPID no. 445221-1)

The purpose of this project is to enhance safety for pedestrians, bicyclists, and drivers and improve the roadway surface by

repaving this segment of S.R. 426. The project will make multimodal improvements such as filling gaps of bicycle lanes near SR 417 and providing a wider bicycle lane (where possible) through the corridor. Pedestrians will also benefit from a wider sidewalk from the S.R. 417 overpass to Mystic Lake Drive. Other pedestrian safety enhancements include reconstructing sidewalk curb ramps in accordance with current Americans with Disabilities Act (ADA) standards, improving intersection lighting, and upgrading pedestrian signals and crosswalks. The project also proposes to reconstruct and upgrade existing traffic signals and improve drainage. The public meeting is being held to present information and receive community feedback.

The Department is offering multiple ways for the community to participate in the meeting. All participants, regardless of platform they choose, will receive the same information on the proposed project.

Virtual Option: Interested persons may join the Virtual Public Meeting (VPM) from a computer, tablet, or mobile device. A VPM is a free live presentation or webinar over the internet. For this option, advance registration is required by visiting the link below. Once registered, participants will receive a confirmation email containing information about joining the meeting online. Please note, Internet Explorer cannot be used to register or attend this webinar. https://bit.ly/3tEyD0b

Phone Option (Listen Only): Participants may join the meeting in listen-only mode by dialing 1-866-901-6455 and entering the passcode 111-115-295 when prompted.

In-Person Open House Option: Participants may attend in person by going to St. Luke's Lutheran Church, 2021 W. State Road 426, Oviedo, FL 32765. The in-person meeting will be an open house where participants can stop by anytime between 5:30 p.m. and 7 p.m.) to view a looping presentation and project displays, speak with project team members, and submit comments or questions. The Department requests advance registration for this option to ensure all attendees are accommodated safely and according to social distancing guidelines. To register for the in-person open house option, please contact the FDOT Project Manager, Tyler Burgett by phone 386-943-5338, by email Tyler.Burgett@dot.state.fl.us, or U.S. mail at Florida Department of Transportation, 719 S. Woodland Boulevard, MS 542, DeLand, Florida 32720.

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

The virtual and in-person meeting location will open at 5:30 p.m. on Thursday, July 8. If joining online, please allow adequate log-in time to view the presentation in its entirety.

All meeting materials, including the presentation, will be available on the project website at www.cflroads.com/project/445221-1) prior to the meeting.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, at Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: N/A 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: Carolyn Fitzwilliam at 386-943-5215, or by email at Carolyn.Fitzwilliam@dot.state.fl.us. Persons who require translation services (free of charge) should also contact Carolyn Fitzwilliam 386-943-5215. bv email Carolyn.Fitzwilliam@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Manager Tyler Burgett by phone at 386-943-5338, by email at Tyler.Burgett@dot.state.fl.us, or U.S. mail at Florida Department of Transportation, 719 South Woodland Boulevard, M.S. 542, DeLand, FL 32720. Information about this project is also available online at www.cflroads.com. Simply type 445221-1 in the search box, click "go" and then select the project. We encourage you to participate in the S.R. 426 Resurfacing public meeting.

REGIONAL UTILITY AUTHORITIES

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

DATE AND TIME: July 15, 2021, 10:00 a.m., ET.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for Integrated Program Management Consulting Services, CONTRACT NO.: 2022-001. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796.2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796.2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Records Department at (727)796.2355.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, State Revolving Fund Program announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2021, 1:00 p.m. – 4:00 p.m. PLACE: Virtual meeting, email Michael.Isaacson@FloridaDEP.gov for an invitation GENERAL SUBJECT MATTER TO BE CONSIDERED: A public virtual meeting will commence at 1:00 p.m. until not later than 4:00 p.m., to conduct a workshop for the Fiscal Year (FY) 2022 Clean Water and Drinking Water State Revolving Fund intended use plans as well as the Additional Supplemental Appropriations for Disaster Relief intended use plans for both programs. This is to be immediately followed by a public meeting to discuss the issues and recommendations for management of the FY 2022 Clean Water State Revolving Fund and Drinking Water State Revolving Fund priority lists of projects to be funded with loans under Chapter 62-503 and Chapter 62-552, Florida Administrative Code, respectively. To request an invitation to the virtual meeting, please send an email

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2928, Michael.Isaacson@FloridaDEP.gov.

following

email

address:

the

Michael.Isaacson@FloridaDEP.gov.

to

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: Michael Isaacson. 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: Michael Isaacson, (850)245-2928, Michael.Isaacson@FloridaDEP.gov, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000.

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: July 8, 2021, 10:30 a.m.

PLACE: Toll Free Number – 1-888-585-9008, 275-112-502 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public disciplinary cases.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: 850-245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF 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: July 14, 2021, 1:00 p.m. - 1:15 p.m.

PLACE: Zoom Meeting Link:

https://urldefense.com/v3/__https://zoom.us/meeting/register/t JYtduGvrzIqHd1DVY5IlEGUp7oMSmW1xcq5__;!!B6dj6w! sCVDdcbIvYtOgVa5yS3pi282BGtibwmtFtrfLXcmHWKOoP BjUyZtLtH66X7kC mc9w\$

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 Section 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: 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: 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: jmurphy@hstart.org.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: July 6, 2021, 12:00 p.m.

PLACE: Telephonically via Microsoft Teams

Join on your computer or mobile app

Click here to join the meeting

Or call in (audio only)

+1 850-666-4692,,656982158# United States, Tallahassee

Phone Conference ID: 656 982 158#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Children and Families (DCF) is the designated agency responsible for administering the Children's Justice Act grant (CJA) for the State of Florida. Florida complies with Section 107(a) of the Child Abuse and Prevention Treatment Act (CAPTA) in order to continue its eligibility to receive the CJA grant award. The CJA Task Force is a requirement of the Grant.

The purpose of the CJA grant is to develop, establish, and operate programs to improve:

- The handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim;
- The handling of cases of suspected child abuse or neglect-related fatalities;
- The investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and
- The handling of cases involving children who are victims of abuse and neglect who have disabilities or serious health-related problems who are victims of abuse and neglect.

A copy of the agenda may be obtained by contacting: Justine Hicks at Justine.Hicks@myflfamilies.com or 850-717-4658.

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: Justine Hicks at Justine.Hicks@myflfamilies.com or 850-717-4658. 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).

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 2021, 1:00 p.m. with two concurrent meetings to follow (Finance & Investment Committee and Actuarial and Underwriting Committee).

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746. Phone: 1+786-635-1003

Code: 942 6219 6052 . Zoom Webinar, Audio with Presentations.

GENERAL SUBJECT MATTER TO BE CONSIDERED: As per the agenda.

A copy of the agenda may be obtained by contacting: Betty Veal @ betty.veal@citizensfla.com or at the website: www.Citizensfla.com.

For more information, you may contact: Barbara Walker, 850-513-3744, or email Barbara. Walker@citizensfla.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 8, 2021, 10:00 a.m. (ET)

PLACE: Contact Kathy Coyne at 941-378-7408 to participate. GENERAL SUBJECT MATTER TO BE CONSIDERED: The matter to be considered is the internet providers.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2021, 10:00 a.m.

PLACE: The PPLCS office located at 2862 Madison St., Ste. 1, Marianna. FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly board meeting items.

A copy of the agenda may be obtained by contacting: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296.

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: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296. 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: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296.

THE CORRADINO GROUP, INC.

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

DATE AND TIME: Thursday, July 8, 2021, 5:00 p.m. – 6:00 p.m.

The Virtual Public Meeting is scheduled for 5:00 p.m. – 6:00 p.m.

The In-person Construction Open House is scheduled for 6:00 p.m. -7:00 p.m.

The Virtual Public Meeting is scheduled for Thursday, July 8, 2021, from 5:00 p.m. – 6:00 p.m. Please use the following link to register: https://bit.ly/GBB-VPM, or dial (213) 929-4232, Access Code: 134-481-959. A brief presentation followed by questions and comments will be held from 5:00 p.m. to 5:30 p.m., and again from 5:30 p.m. to 6:00 p.m. Please note, questions and comments may be submitted via the online chat for the project team to address directly.

The In-person Construction Open House is scheduled for Thursday, July 8, 2021, from 6:00 p.m. – 7:00 p.m. at the City of Delray Beach 'Swinton Operations Center' located at 434 S. Swinton Ave., Delray Beach, FL 33444. This meeting will have an informal open house format, with project representatives available to answer questions and address comments at any time during the meeting. The Open House will be in compliance with the latest social distancing guidelines.

PLACE: City of Delray Beach 'Swinton Operations Center', 434 S. Swinton Ave., Delray Beach, FL 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 438395-1-52-01 & 438395-1-52-02

Project Description: George Bush Boulevard Improvements Project from NE 2nd Avenue to State Road A1A in the City of Delray Beach, Florida.

Project improvements include milling and resurfacing the roadway with minor widening, concrete sidewalk and driveway replacement, including curb and gutter improvements, signing and pavement marking upgrades, including bike lane and detectable warning surfaces, and drainage and utility improvements. Work can be expected Monday through Friday, 7:00 a.m. to 6:00 p.m., and Saturday from 8:00 a.m. to 4:00 p.m. Lane closures can be expected daily, but are not permitted during 'School Speed Zone' Hours. Full roadway closures will be required to install new drainage upgrades; notice will be provided in advance and motorist and pedestrian detours will be clearly marked. Pedestrian, driveway and street access will be maintained at all times.

Construction will begin July 16, 2021 and is estimated to be completed in Summer 2023. The estimated construction cost is \$2,029,421.78.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Mr. Jon Droge, FDOT Project Manager, at (561) 632-5768 or by email at jon.droge@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: No Agenda

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. Jon Droge, FDOT Project Manager, at (561) 632-5768 or by email at jon.droge@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Meredith Cruz, Community Outreach Specialist, at (561) 641-6440 or by email at mcruz@corradino.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Tish Haight, APRN, filed on June 23, 2021. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S., as it applies to the petitioner.

The petitioner seeks a Declaratory Statement from the Board in regard to the interpretation of Section 464.003, F.S., as to whether the continuous IV infusion of non-anesthetic Ketamine for acute pain expected to be of a longer duration to patients at Sarasota Memorial Hospital in Sarasota, Florida, is within Petitioner's scope of practice as an advanced practice registered nurse (APRN), under the circumstances as outlined in the petition. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov, or by telephone at (850) 245-4125.

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

DEPARTMENT OF TRANSPORTATION

Notice of Upcoming Public Meetings for E59A1

In accordance with 120.525 F.S., the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited. GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of intended awardee for Project E59A1

PROJECT DESCRIPTION: This project provides for the design-build of the next phase (Phase 2 North) of the Central Florida Commuter Rail (SunRail) Transit System. The successful bidder will be responsible for the implementation of this project from concept to completion of construction.

For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to the Procurement Internet site: https://pdaexternal.fdot.gov/Pub/AdvertisementPublic/AllAdD etail/D-B/A

DEPARTMENT OF TRANSPORTATION

Notice of Upcoming Public Meetings for E59A2

In accordance with 120.525 F.S., the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited. GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of intended awardee for Project E59A2

PROJECT DESCRIPTION: This project provides for the design-build of the wayside signal and grade crossing warning systems that are part of the next phase (Phase 2 North) of the Central Florida Commuter Rail (SunRail) Transit System. The successful bidder will be responsible for the implementation of this project from concept to completion of construction.

For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to the Procurement Internet site:

https://pdaexternal.fdot.gov/Pub/AdvertisementPublic/AllAdDetail/D-B/A

DEPARTMENT OF MILITARY AFFAIRS

219016 Jacksonville FMS 11 Construct PEMB Storage STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PUBLIC ANNOUNCEMENT INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered and qualified contractors for the following project located at FMS 11, 9900 Normandy Blvd, Jacksonville, FL.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 06/25/2021 AT

http://vbs.dms.state.fl.us/vbs/main menu.

PROJECT: 219016 Jacksonville FMS #11 Construct PEMB Storage.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: General Project Description (See Bid Documents for complete details): Project involves construction of an 1800 square foot pre-engineered metal building, (30' x 60') with a poured in place concrete foundation. Building shall include one overhead roll up door, two walk

doors and a 12' wide x 15' long concrete apron. Interior build out shall involve installation of self-standing shelving units, general task lighting, emergency/exit lighting, exhaust fan ventilation and ceiling fans. Electrical power and telephone service will be made available in the immediate vicinity of the building. Water service shall be extended on site for one new fire hydrant.

All permitting is the responsibility of the contractor. Regulatory permitting to include the preparation, submittal, payment and review coordination of the Water management District, Environmental Resource Permit (including permit fees), Florida Department of Environmental Protection (FDEP) Notice of Intent (including filing fees), County permitting fees, and any other permits and fees required by local or state authorities.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904) 823-0285 or 823-0255 or e-mail ng.fl.flarng.list.cfmo-contracting@mail.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, June 21, 2021 and 3:00 p.m., Friday, June 25, 2021.

Rule No.	File Date	Effective Date
6A-1.0014	6/24/2021	7/14/2021
6A-1.0018	6/24/2021	7/14/2021
6A-1.0943	6/24/2021	7/14/2021

6A-1.09963	6/24/2021	7/14/2021
6A-1.09981	6/24/2021	7/14/2021
6A-4.002	6/24/2021	7/14/2021
6A-6.03311	6/24/2021	7/14/2021
6A-6.0571	6/24/2021	7/14/2021
6A-6.0573	6/24/2021	7/14/2021
6A-6.0575	6/24/2021	7/14/2021
6A-10.0401	6/24/2021	7/14/2021
6A-14.0582	6/24/2021	7/14/2021
6B-10.009	6/23/2021	7/13/2021
6B-10.012	6/23/2021	7/13/2021
6N-1.005	6/24/2021	7/14/2021
12AER21-2	6/24/2021	6/24/2021
42QQ-1.002	6/23/2021	7/13/2021
59A-36.001	6/22/2021	7/12/2021
59A-36.016	6/22/2021	7/12/2021
59A-36.017	6/22/2021	7/12/2021
60Y-11.004	6/18/2021	7/8/2021
61G18-30.005	6/25/2021	7/15/2021
61-35.010	6/22/2021	7/12/2021
61-35.029	6/23/2021	7/13/2021
61K1-4.022	6/18/2021	7/8/2021
62-640.600	6/22/2021	6/21/2021
62-640.650	6/22/2021	6/21/2021
62-640.700	6/22/2021	6/21/2021
62-640.800	6/22/2021	6/21/2021
62-640.850	6/22/2021	6/21/2021
62-640.880	6/22/2021	6/21/2021
64B2-11.001	6/22/2021	7/12/2021
64B2-12.022	6/22/2021	7/12/2021
64B8-3.002	6/25/2021	7/15/2021
64B8-3.003	6/25/2021	7/15/2021

64B8-4.009	6/23/2021	7/13/2021
64B8-9.018	6/23/2021	7/13/2021
64B8-9.0181	6/23/2021	7/13/2021
64B8-31.012	6/25/2021	7/15/2021
64B15-7.012	6/25/2021	7/15/2021
64B15-14.013	6/23/2021	7/13/2021
64B15-14.0131	6/23/2021	7/13/2021
64ER21-10	6/22/2021	6/22/2021

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/***
60P-1.003	11/5/2019	**/**/***
60P-2.002	11/5/2019	**/**/***
60P-2.003	11/5/2019	**/**/***
64B8-10.003	12/9/2015	**/**/***

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON application for expedited review:

CON #10664Received: 06/24/2021 County: Pinellas District: 5-2 Facility/Project: Pinellas NH LLC Applicant: Pinellas NH LLC

Project Description: Transfer CON #10621 from Pinellas Palms NH LLC to Pinellas NH LLC establish a 120-bed community

nursing home

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water State Revolving Fund

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT NOTICE

CHARLOTTE COUNTY, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that Charlotte County's project involving capacity expansion of the Burnt Store Water Reclamation Facility is not expected to generate controversy over potential

environmental effects. The total estimated construction cost is \$56,097,400. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967 or emailing to thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION Clean Water State Revolving Fund NOTICE OF AVAILABILITY FLORIDA CATEGORICAL EXCLUSION NOTICE CHARLOTTE COUNTY, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that Charlotte County's project involving the capacity expansion of the East Port Water Reclamation Facility is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$68,686,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967

DEERING PARK STEWARDSHIP DISTRICT NOTICE OF RULE DEVELOPMENT

In accord with Chapter 120, Florida Statues and Chapter 2020-197, Laws of the Florida, the Deering Park Stewardship District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Chapter 2020-197(6)(6)(e), (6)(6)(q) and (6)(20), Laws of Florida. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 122.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2020), Chapter 2020-197(5), (6)(1)-(4), (6)(6)(c), (6)(6)(e), (6)(6)(q), (6)(19), (6)(20), Laws of Florida.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (561) 571-0010.

Craig Wrathell, District Manager

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.