

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-15.001	Registration
5J-15.002	Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rulemaking is to add and amend incorporated department forms, and to update the penalty rule for statutory compliance with chapter 507, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: New Moving Broker Registration Application, updated Mover (Intrastate) Registration Application and the penalty rule.

RULEMAKING AUTHORITY: 507.09(4), 570.07(23) FS

LAW IMPLEMENTED: 507.03, 507.04, 507.05, 507.056, 507.08, 507.09, 507.10, 507.11, 570.971(5) FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Evans, Chief, Bureau of Compliance, 2005 Apalachee Parkway, Tallahassee, FL 32399 (850)410-3848.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.0135	Dental Hygiene Examination

PURPOSE AND EFFECT: The Board proposes the rule to ensure that applicants do not take retake the examination upon a failure without first taking the required remedial course.

SUBJECT AREA TO BE ADDRESSED: The Board proposes the rule to make clear to applicants that they may not retake the dental hygiene examination without taking the required remedial coursework outlined in the rule.

RULEMAKING AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 466.007 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Traci Zeh, Acting Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04 Tallahassee, Florida 32399-3258; Traci.Zeh@flhealth.gov

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

Section II

Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-5.078	Professional Learning Requirements as a Condition of Certificate Reactivation

PURPOSE AND EFFECT: The purpose of the rule is to support implementation of Section 1012.56, Florida Statutes, as amended by Senate Bill 7002 (2024). The statutory amendment allows certified educators to place their certificates in an inactive status and requires the department to prescribe professional learning requirements that educators must complete to reactivate a certificate that has been inactive for more than one year.

SUMMARY: This new rule will prescribe professional learning requirements for reactivating certificates placed in inactive status for more than one year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.56, 1012.98, F.S.

LAW IMPLEMENTED: 1012.56, 1012.98, F.S.

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

DATE AND TIME: November 20, 2024, 10:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Caribbean 1 and 2, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Harvey, Director of Retention, Bureau of Educator Recruitment, Development and Retention, Florida Department of Education; (850)245-9933 or Ashley.Harvey1@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.078 Professional Learning Requirements as a Condition of Certificate Reactivation.

(1) The purpose of this rule is to set forth the requirements for reactivating an educator's professional or non-renewable temporary certificate that has been placed in an inactive status pursuant to Section 1012.56(7)(g), Florida Statutes, and Rule 6A-4.004, F.A.C., by providing professional learning requirements and establishing prohibitions. The following are clarifications to the requirements.

(2) Definitions.

(a) "Calendar year" is a twelve-month period beginning July 1 to June 30.

(b) "Inservice points" means completion of professional learning as established in Rule 6A-5.071, F.A.C.

(3) Professional Learning Requirements for Professional Certificate Reactivation.

(a) In order to reactivate a certificate that has been placed in inactive status, inservice points must correspond with subject area content or pedagogy based on coverages listed on the certificate.

(b) The certificate holder must complete inservice points according to the length of inactive status.

1. If the certificate is inactive for a calendar year or less, certificate holders are not required to complete inservice points for reactivation.

2. After one calendar year of inactive status, but less than or equal to two years, a certificate holder must complete 40 inservice points or equivalent.

3. After two calendar years of inactive status, but less than or equal to three years, a certificate holder must complete 60 inservice points or equivalent.

4. After three calendar years of inactive status, but less than or equal to four years, a certificate holder must complete 80 inservice points or equivalent.

5. After four calendar years of inactive status but less than or equal to five years, a certificate holder is not eligible for reactivation and must complete requirements for certificate renewal established in Rule 6A-4.0051, F.A.C.

6. After five calendar years of inactive status or more, a certificate holder is not eligible for reactivation and must complete requirements for certificate reinstatement established in subsection 6A-4.0051(9), F.A.C.

(4) Professional Learning Requirements for Nonrenewable Temporary and Nonrenewable Professional Certificate Reactivation.

(a) In order to reactivate a nonrenewable temporary certificate that has been placed in inactive status, inservice points must correspond with subject area content or pedagogy based on coverages listed on the certificate.

(b) The certificate holder must complete inservice points according to the length of inactive status established in subparagraph (3)(b)1.-6. of this rule, except as noted below:

1. After four calendar years or more of inactive status, but less than five years, a certificate holder on a nonrenewable five-year certificate as outlined in subsections 6A-4.004(1)-(4), and paragraph (6)(b), F.A.C., is not eligible for reactivation and must complete all professional certification requirements and apply to move from a nonrenewable temporary or professional certificate to a renewable professional certificate.

2. After two calendar years or more of inactive status, but less than three years, a certificate holder on a nonrenewable three-year certificate as outlined in subsections 6A-4.004(7)-(8), F.A.C., is not eligible for reactivation and must complete all professional certification requirements and apply to move from a temporary certificate to a professional certificate.

3. After one calendar year of inactive status, certificate holders on a two-year nonrenewable temporary certificate as outlined in subsection 6A-4.004(6), F.A.C., are not eligible for reactivation and must complete all professional certification requirements and apply to move from a temporary certificate to a professional certificate.

(5) In addition to completing the inservice point for reactivation of a certificate as set forth in subsections (3) and (4) of this rule, a certificate holder may use the inservice point equivalents of college credits and subject area tests as set forth in Rule 6A-4.0051, F.A.C., to reactivate a certificate.

(6) Prohibitions.

(a) Certificate holders cannot use excess inservice points completed in English for Speakers of Other Languages training, training in the instruction of students with disabilities, and the teaching of reading as outlined in paragraph 6A-4.0051(5)(a), F.A.C., to satisfy professional learning requirements for certificate reactivation.

(b) Certificate holders are not eligible for inactive status more than one time during the term of the certificate.

Rulemaking Authority 1001.02, 1012.56, 1012.98 FS. Law Implemented 1012.56 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ashley Harvey, Director of Retention, Bureau of Educator Recruitment, Development and Retention
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2024
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 4, 2024

DEPARTMENT OF JUVENILE JUSTICE

Medical

RULE NOS.: RULE TITLES:
63M-2.002 Definitions
63M-2.0031 Designated Health Authority
63M-2.00315 Psychiatry Services
63M-2.0032 Role of the Superintendent/Facility Director in Healthcare Services
63M-2.0033 Nursing Staff Requirements
63M-2.0035 Protocols and Procedures
63M-2.0037 Verification of Credentials
63M-2.0038 Students or Interns
63M-2.0039 Interdisciplinary Risk Reduction/Quality Improvement
63M-2.0041 Healthcare Admission Screening
63M-2.0043 Routine Notification of the Designated Health Authority Upon Admission
63M-2.0044 Tuberculosis (TB) Control and Screening
63M-2.0045 Medical Alert System
63M-2.0046 Healthcare Orientation of Committed Youth
63M-2.0047 Health-Related History (HRH)
63M-2.0048 Comprehensive Physical Assessment (CPA)
63M-2.005 Consent and Notification Requirements
63M-2.0051 Routine Consent - Authority for Evaluation and Treatment (AET)
63M-2.0052 Special Consent
63M-2.006 Sick Call
63M-2.008 Periodic Evaluations
63M-2.009 Episodic Care
63M-2.010 Girls Gender Responsive Medical Services
63M-2.021 Pharmacy Permits and Licenses
63M-2.022 Verification and Procurement of Medications Prescribed Prior to Admission
63M-2.023 Transfer of Youth's Medications
63M-2.025 Inventory and Storage of Sharps
63M-2.026 Inventory of Medications
63M-2.030 Routine Medication Administration

63M-2.031 Youth Self-Administration of Oral Medication Assisted by Trained Non-Licensed Staff
63M-2.032 Youth Refusal of Medication
63M-2.033 Youth Hoarding of Medication and Swallowing Difficulties
63M-2.034 Administration of Parenteral Medications
63M-2.036 Adverse Drug Events and Medication Errors
63M-2.037 Education of Youth on Medications
63M-2.040 Environmental and Exercise Precautions
63M-2.050 Infection Control - Regulations and Training
63M-2.052 HIV Counseling and Testing
63M-2.061 Record Documentation, Development and Maintenance
63M-2.062 Core Health Profile
63M-2.063 Interdisciplinary Health Record
63M-2.064 Storage, Security and Control of the Individual Health Care Record
63M-2.070 Health Education
63M-2.081 Youth Release to the Community
63M-2.082 Transfer from Residential Commitment Program
63M-2.083 Youth Released to the Community from Secure Detention

PURPOSE AND EFFECT: The amendments and two new rule sections update and clarify the procedures for providing medical care to youth in department facilities and programs.

SUMMARY: Amendments are made throughout the continuum of care.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The SERC Checklist and current information available to the Department indicates that the statutory threshold for ratification will not be exceeded.

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

RULEMAKING AUTHORITY: 985.64, F.S.

LAW IMPLEMENTED: 985.64, 985.145, 985.18, F.S.

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

DATE AND TIME: Thursday, November 14, 2024 at 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3226, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

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

THE FULL TEXT OF THE PROPOSED RULE IS:

63M-2.002 Definitions.

The following definitions shall be used for the department's acceptable health care treatment services for youth in Detention, Residential and Facility-Based Community Corrections.

(1) Adverse Drug Events: Aan illness or injury resulting from a medical intervention related to a drug.

(2) Assigned Custodian: Individual assigned by the parent/guardian to make healthcare decisions for the youth, as evidenced by a lawful power of attorney under chapter 709, F.S., or a surrogate designation under chapter 765, F.S.

(3)(2) Authority for Evaluation and Treatment (AET): Form HS 002, that when signed by a parent or legal guardian, gives the ~~d~~Department the authority to assume responsibility for the provision of routine mental and physical healthcare to a youth within its physical custody.

(4)(3) Cheeking: Aa term used to describe patients who hide their medications in their cheek or under their tongue to prevent swallowing them.

(5)(4) Chief Probation Officer (CPO): ~~-~~The department employee who is responsible for managing community-based program operations, including department staff and contracted providers, and staff within each of Florida's twenty judicial circuits.

(6)(5) Chronic medical condition: Aany illness, disability or condition that is permanent or has persisted persists longer than six months, or has exacerbated within the past six months, causing subsequent treatment/evaluation, apart from with the exception of allergies, This may include uncorrected or uncompensated hearing/speech/visual impairment, but excludes Developmental Disability, or Intellectual Disability Mental Retardation.

(7)(6) Clinical responsibility: The oversight of the medical care of all youth within a department facility. This includes the overall clinical direction, policies, and protocols for the medical services provided.

(8) Community Based Programs: Facility-based non-residential services for youth under prevention services.

(9)(7) Community Provider: Aa Health Care Provider outside of the department commitment system.

(10)(8) Comprehensive Physical Assessment (CPA) (HS 007): Aa comprehensive physical assessment (exam) performed by a physician (MD), osteopathic physician (DO), physician's assistant (PA), or advanced practice registered nurse (APRN). practitioner (ARNP). The purpose of this assessment is the establishment of a data point, which is used to facilitate the following:

(a) through (d) No change.

(11)(9) Controlled Substances: Aall substances defined as "Controlled" in ~~Chapter Section~~ 893.03, F.S.

(12)(10) Core Health Profile: Aa section of the individual health care record, which contains standardized forms that are filed in designated sub-sections of the Individual Health Care Record (IHCR).

(13)(11) Corrective action: Refers to an analysis of the problem's root cause with a subsequent adjustment in the system in order to prevent future mistakes from taking place.

(14)(12) Designated Health Authority (DHA): The DHA shall be a Physician (MD) who holds an active, unrestricted license under Chapter 458, F.S., ~~or~~ an osteopathic Physician (DO) who holds an active, unrestricted license under Chapter 459, F.S., or an Advanced Practice Registered Nurse (APRN), who has qualifications in Autonomous Practice, who holds an active, unrestricted license under Chapter 464, F.S., and meets all requirements for practice in the State of Florida. The Autonomous APRN may not serve as the DHA of programs with complex medical beds. The Physician must be either Board Certified in Pediatrics, Family Practice, Emergency Medicine, or Internal Medicine (with experience in adolescent health) or Board-Eligible and have prior experience in treating the primary health care needs of adolescents. The Autonomous Practice APRN must have experience with Pediatrics, Emergency Care, Family Practice, or Internal Medicine (with experience in adolescent health). A Psychiatrist who holds an unrestricted license under Chapter 458 or 459, F.S., may serve as the DHA of a facility that provides specialized mental health services, as long as the Psychiatrist has current experience in medically treating the physical health care needs of adolescents. The DHA shall be either a state employed or contracted clinician Physician accountable for ensuring the delivery of administrative, managerial and medical oversight of the facility health care system. Corporate clinicians physicians, who do not perform clinical/administrative duties on-site, shall not be the Designated Health Authority. The DHA shall ultimately be responsible for the provision of necessary and appropriate health care to youth in the care of a detention center or residential commitment program.

~~(15)(13)~~ Detention Center: ~~A~~ temporary hardware-secure state-operated, county or municipal facility for juveniles, which compares to a jail in the adult system.

~~(16)~~ Electronic Medical Record/Electronic Health Record (EMR/EHR): The EMR and EHR definition can be used interchangeably for this Rule. Electronic Health Record is a department electronic system to maintain and securely access youth(s) Individual Health Care Record to meet federal and state regulations and to allow oversight and confidential access remotely or on site to the youth(s) health information.

~~(17)(14)~~ Episodic care: ~~T~~he health care component intended to provide medical services in response to unexpected illnesses, accidents or conditions that require immediate attention or an immediate professional assessment to determine their severity. Episodic care also includes responses to those complaints that can result in severe pain or suffering, even if the youth's life does not appear to be in danger.

~~(18)(15)~~ Facility: ~~F~~or the purposes of this chapter, a Detention Center or Residential Commitment Program.

~~(19)(16)~~ Facility Management System (FMS): The computer-based ~~computer-based~~ system used by state-operated juvenile detention centers as the primary source of documentation and reporting for facility operations. Forms and reports generated by FMS are ~~considered to be~~ both the official and original documentation for the area concerned.

~~(20)(17)~~ Facility Operating Procedures: ~~F~~acility/program-specific procedures implemented as guidelines for providing care and oversight to youth.

~~(21)(18)~~ Facility Superintendent/~~Major~~: ~~T~~he person responsible for the operation of a designated ~~regional~~ juvenile detention center.

~~(22)(19)~~ First Aid: ~~A~~ny one-time treatment, and follow-up visit for the purpose of observation, of minor injuries such as cuts, scratches, first degree burns and splinters. Ointments, salves, antiseptics, and dressings to minor injuries are considered to be first aid.

~~(23)(20)~~ Five Rights of Medication Administration: ~~T~~hese five rights are specifically defined as:

- (a) through (c) No change.
- (d) Right Dosage; and
- (e) No change.

~~(24)~~ Focused Note: A chronological progress note in SOAP note (Subjective, Objective, Assessment and Plan) format which documents the review of the prior CPA and documents any discrepancy or changes to the current assessment noted in the CPA and outlines any plan to address the findings when youth return to DJJ programming.

~~(25)(21)~~ Health-Related History Form (HRH) (HS 014): ~~T~~he form required to document a standardized, comprehensive medical and health-related questionnaire.

~~(26)(22)~~ Renumbered and no change.

~~(27)(23)~~ Individual Health Care Record (IHCR): The permanent departmental file containing the unified cumulative electronic and hard-copy collection of clinical records, histories, assessments, treatments, diagnostic tests which relate to a youth's medical, mental health, substance abuse, Developmental Disability, behavioral health and dental health which have been obtained to facilitate care or document care provided while the youth is in a detention center and residential commitment program.

~~(28)(24)~~ Juvenile Assessment Center: ~~Chapter Section~~ 985-~~135~~, F.S. establishes juvenile justice assessment centers which are designed to serve as a point of intake and screening for juveniles referred to the ~~d~~Department.

~~(29)(25)~~ Juvenile Justice Information System (JJIS): The department's electronic information system used to gather and store information on youth youths having contact with the department.

~~(30)(26)~~ Juvenile Probation Officer (JPO): A person meeting the definition in ~~Chapter Section~~ 985-03(30), F.S., and ~~Chapter Rule~~ 63D-~~138.001~~, F.A.C.

~~(31)(27)~~ Licensed Health Care Professional: ~~F~~or the purposes of this Rule chapter, a Registered Nurse (RN), Licensed Practical Nurse (LPN), and an Advanced Practice Registered Nurse (APRN) ~~Practitioner (ARNP)~~ licensed under Chapter 464, F.S.; a Medical Doctor (MD), and a Physician Assistant (PA) licensed under Chapter 458, F.S.; an Osteopathic Physician (DO) licensed under Chapter 459, F.S.; and a Dentist (DMD, DDS) licensed under ~~by~~ Chapter 466, F.S.

~~(32)(28)~~ Medical Grade: One of five (5) categories or grades that can be assigned to a youth as part of the medical classification system. The specific Medical Grades are defined as follows:

(a) through (d) No change.

(e) Medical Grade 5: Youth is prescribed any medication for diagnosed mental and/or emotional disorders. This medical grade shall be the only grade assigned in consideration of mental health disorders.

~~(33)(29)~~ No change.

~~(34)(30)~~ Non-licensed: For the purposes of this rule, persons who do not hold a medical or nursing licensure recognized as active in the state of Florida from the Division of Health Quality Assurance of the Department of Health but who function in an assistive role to registered nurses or licensed practical nurses in the provision of patient care services through delegated tasks or activities. These delegated tasks or activities shall be provided under the clinical supervision of a Registered Nurse nurse or higher licensure level.

~~(35)~~ Over-The-Counter medications (OTCs): OTC medications are defined as medications that are safe and effective for use by the general public without seeking treatment by a health professional and can be provided to youth

utilizing health care and non-health care protocols within manufacturers recommendations.

~~(36)~~(31) Periodic Evaluation: A follow-up focused medical evaluation for youth by a physician (MD), osteopathic physician (DO), advanced practice registered nurse (APRN) ~~practitioner~~ (ARNP) or physician's assistant (PA) for youth with chronic conditions or communicable diseases, at specified time intervals.

~~(32) Over-the-Counter medications (OTCs): Any drug that routinely does not require a prescription.~~

~~(37)~~(33) Perpetual Inventory: A dose-by-dose inventory process for the daily distribution of prescribed ~~over-the-counter~~ medication and sharps. Sharps are to be counted as each sharp is utilized and disposed of.

~~(38)~~(34) Practitioner's Orders: Prescribed and authorized treatments and medications written for implementation by duly licensed practitioners authorized by their respective practice acts to do so. For the purposes of this rule, the term refers to orders written or given verbally by Physicians, Physician Assistants, Advanced Practice Registered Nurses ~~Nurse Practitioners~~, and Dentists.

~~(39)~~(35) Probation: An individualized program in which the freedom of the child is limited and the child is restricted to non-institutional quarters or restricted to the child's home in lieu of commitment to the custody of the department as per Chapter Rule 63D-138.001, F.A.C.

~~(40)~~(36) Program Director/Facility Administrator: The on-site administrator of a Residential Commitment Program, whether state or privately operated, who is accountable for the on-site operation of the program.

~~(41)~~(37) Renumbered and no change.

~~(42)~~(38) Protective Action Response (PAR)/Right Interaction (RI) – The department approved verbal, physical, and mechanical intervention curriculum used in accordance with Chapter 63H-3, F.A.C. Department approved verbal and physical intervention techniques and application of mechanical restraints used in accordance with the DJJ Administrative Rules 63H 1.001 1.016, F.A.C., the Protective Action Response Escalation Matrix, and PAR training curricula.

~~(43)~~ Psychiatric APRN: A licensed advanced practice registered nurse who has a master's degree or a doctorate in psychiatric nursing and two years post-master's clinical experience under the supervision of a physician. A licensed and certified psychiatric Advanced Practice Registered Nurse (APRN) under Chapter 464, F.S., with a master's degree or doctorate in psychiatric nursing or mental health nursing and two years post-master's clinical experience in pediatric or adolescent psychiatric treatment under the supervision of a physician would meet this definition as specified in section 394.455, F.S.

~~(44)~~ Psychiatric Services: Within this rule refers to provision of psychiatric evaluations, prescribing psychotropic medications and monitoring psychotropic medications rendered by a psychiatrist or Psychiatric Advanced Practice Registered Nurse (APRN).

~~(45)~~ Psychiatrist: A physician licensed pursuant to Chapter 458 or 459, F.S. who is board certified in Child and Adolescent Psychiatry or Psychiatry by the American Board of Psychiatry and Neurology or has completed a training program in Psychiatry approved by the American Board of Psychiatry and Neurology for entrance into its certifying examination. A Psychiatrist, who is board certified in Forensic Psychiatry by the American Board of Psychiatry and Neurology, or the American Board of Forensic Psychiatry, may provide services in DJJ facilities or programs but must have prior experience and training in psychiatric treatment with children or adolescents.

~~(46)~~ Psychotropic Medication: Medications capable of affecting the mind, emotions and behavior that are used to treat mental illness. The medications, include, but are not limited to the following major categories: antipsychotics, antidepressants, antianxiety drugs, mood stabilizers, and stimulants.

~~(47)~~(39) Residential Commitment Program: As defined in Chapter chapter 985, F.S., the level of programming and security provided by programs that service the supervision, custody, care, and treatment needs of committed youth. ~~A low-risk, moderate risk, high risk, or maximum risk residential delinquency program for committed youth.~~

~~(48)~~(40) Restricted Housing: All situations involving segregation, isolation, or separation of a youth for any reason, including disciplinary, medical or mental health reasons. ~~Thus, this term includes disciplinary confinement, room restriction, secure observation, controlled observation, or any other form of housing which separates youth is separate from that of the general population.~~

~~(49)~~(41) No change.

~~(50)~~(42) Sharp: Any object routinely used in medical procedures, including but not limited to, hypodermic needles, scalpels, blades, sutures, instruments with or without blunt ends, and broken glass, broken capillary tubes, breakable culture dish, and exposed ends of dental equipment, wires.

~~(51)~~ Shift-to-Shift Inventory: An inventory of controlled substances that shall be conducted with each shift change, ending shift or new shift, prior to the administration of any controlled substance. It shall be conducted with one oncoming and one off-going staff responsible for the access/administration of controlled substances. If nursing staff shifts do not correspond with other nursing staff, then a non-licensed staff shall observe and witness the counting of all controlled substances in the instance where the nurse comes on shift and when the nurse goes off shift for the day.

~~(52)~~(43) No change.

~~(53)(44)~~ No change.

~~(54)~~ Subjective, Objective, Assessment, Plan (SOAP): The medical documentation note format nationally recognized as universal documentation for all medical documentation to be used within the Individual Healthcare Record.

~~(55)(45)~~ Transitional Health Care Planning: The process of planning and information exchange to maintain continuity of care for a youth who is discharged, released to the community from a facility, or transferred between facilities.

~~(56)(46)~~ Treatment Protocols: The precise and detailed plan for a course of medical treatment developed by the Designated Health Authority/designee that describes a patient's treatment regimen; a detailed plan for the delivery of health care treatment, procedures, tests, medications and dosages. These treatment protocols are limited in scope and responsibility depending upon whether the protocol is written for implementation by licensure level or non-licensed direct care staff.

~~(57)(47)~~ Working Inventory: Inventory of stock medications, syringes, needles, phlebotomy equipment, suture kits, and other potentially dangerous sharps that is permitted to be kept in an area outside of regular stock for immediate access by nursing and trained non-licensed staff, which is separately tracked for use from the larger quantities stored in a secured area accessible only by licensed staff, including but not limited to, syringes, needles, phlebotomy equipment, suture kits, and all other potentially dangerous sharps and other devices.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0031 Designated Health Authority.

(1) The Designated Health Authority (DHA) has the clinical responsibility for all program physical health and medical services occurring within the confines of the facility. Final clinical judgments regarding medical treatment received in the facility shall rest with this single individual.

(2) The role and function of the Designated Health Authority shall be clearly articulated in a written contract or agreement between the provider facility or program and the Designated Health Authority.

(3) The contract shall clearly indicate:

(a) At a minimum, the DHA must be on-site once per week, with a week defined as the seven-day period beginning on Sunday and ending on Saturday. However, at no time will more than nine days pass between onsite visits. This is to allow flexibility for unexpected or emergent situations and should not be the routine process. The DHA must be on-site monthly when the weekly clinical duties have been delegated to a qualified practitioner (with an agreement, for at a minimum, weekly service being provided on site by the qualified practitioner). An

Autonomous APRN may not delegate clinical duties and therefore must provide onsite weekly services.

(b) through (e) No Change.

(f) The licensure level of the clinician (APRN, MD, or DO).

(4) The Designated Health Authority, who is an MD or DO only, may delegate clinical duties only to the following clinicians, as defined in Rule 63M-2.002, F.A.C., Designated Health Authority, (which may include the provision of on call coverage if designated in writing by a collaborative agreement):

(a) No change.

(b) An Advanced Practice Registered Nurse (APRN) Practitioner (ARNP), with education, experience and certification in Family Health or Pediatrics, or

(c) No change.

(5) No change.

(6) The Unless the Designated Health Authority is a psychiatrist, the following duties and activities shall not be the responsibility of the Designated Health Authority:

(a) through (c) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended 5-8-17, _____.

63M-2.00315 Psychiatry Services

(1) Each Detention Center and residential commitment program shall have available, within the facility, written agreements, or contracts with on-site providers, for the provision of Psychiatric Services.

(2) Psychiatry services shall be provided by a Psychiatrist, or by a licensed and certified Psychiatric Advanced Practice Registered Nurse (APRN) under Chapter 464, F.S., who works under the clinical supervision of a Psychiatrist, as specified in the collaborative practice protocol with the supervising Psychiatrist and is maintained at the location where services are provided.

(a) The Psychiatrist or Psychiatric APRN providing psychiatric services in a departmental facility or program must comply with Chapter 63M-2, F.A.C., provisions regarding medication management whenever a youth is considered for, prescribed or receiving psychotropic medication.

(b) The Psychiatrist or Psychiatric APRN shall only prescribe psychotropic medications, which address the youth's specific diagnoses and target symptoms.

(c) If psychotropic medications are required, the lowest dose of medication necessary to achieve therapeutic effect shall be used bearing in mind potential benefits and risks.

(d) The use of more than one psychotropic medication as part of a mental health treatment regimen requires documented clinical justification for each psychotropic medication utilized by the Psychiatrist or Psychiatric APRN.

(e) Psychotropic medication shall be only one component of the therapeutic program. Additional treatment modalities such as individual, group and family therapy, behavioral therapy, substance abuse counseling and psychosocial skills training shall be utilized in conjunction with the use of psychotropic medication and must comply with Chapter 63N-1, F.A.C.

(f) Psychotropic medication shall not be used as punishment, for staff convenience, discipline, coercion, or retaliation, as a substitute for meaningful psychosocial, rehabilitative services or in quantities that lead to a loss of functional status.

(g) There shall be no pro re nata (PRN) or standing orders for psychotropic medications.

(h) There shall be no emergency treatment orders for use of psychotropic medication as a chemical restraint. Chemical restraint means a medication used to control behavior or restrict the youth's freedom of movement and is not a standard treatment for the youth's psychiatric condition.

(i) Injectable psychotropic medications shall require justification and may not be self-administered and may only be administered by a licensed nurse or practitioner.

(3) Each detention center and residential commitment program's intake screening process must determine whether a youth is taking psychotropic medications. If so, the youth is to be referred for a psychiatric evaluation to be conducted within fourteen days of the youth's admission. The psychiatric evaluation must be identified as such and documented on the Clinical Psychotropic Progress Note (HS 006), or a form developed by the program which contains all the information required in form HS 006. The Clinical Psychotropic Progress Note (HS 006, October 2014) is incorporated by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17126>.

(4) Youth who are referred for a new psychiatric evaluation after admission must receive psychiatric evaluation within 30 days of the referral or expedited based on youth needs.

(a) The psychiatric evaluation must be identified as such and documented on the Clinical Psychotropic Progress Note Form (HS 006) or a form developed by the program which contains all the information required in form HS 006.

(b) If the youth's file contains a psychiatric evaluation which was completed within the past 6 months, the previous psychiatric evaluation may be utilized by the facility's Psychiatrist or Psychiatric APRN, to conduct an updated psychiatric evaluation. The updated psychiatric evaluation must be identified as such and documented on the Clinical Psychotropic Progress Note Form (HS 006) or a form developed by the program which contains all the information required in form HS 006.

(5) Each youth who is receiving psychotropic medication shall be seen for medication review by the Psychiatrist or Psychiatric APRN, at a minimum, every 30 days. Medication review shall include evaluating and monitoring medication effects and the need for continuing or changing the medication regimen.

(6) Psychotropic medication that is prescribed or significantly changed shall be documented on page 3 of the Clinical Psychotropic Progress Note Form (HS 006). Psychotropic medication that is continued without significant changes shall be documented either on page 3 of form HS 006 or a form developed by the program that contains all the information required on page 3 of form HS 006.

(7) Whenever a new psychotropic medication is prescribed, discontinued, or the drug dosage is significantly changed, parent/guardian/assigned custodian notification and consent must be obtained unless the youth is 18 years of age or older, or is emancipated as provided in Chapter 743, F.S., and is responsible for authorizing his or her own health care, or a physician determines that immediate treatment is needed as set forth in Chapter 985, F.S.

(8) Parent/guardian/assigned custodian consent for psychotropic medication shall be accomplished through the following action:

(a) The Psychiatrist or Psychiatric APRN must attempt to contact the parent or legal guardian by telephone to obtain his or her verbal consent for the psychotropic medication.

(b) The Psychiatrist or Psychiatric APRN must document the parent or guardian's verbal consent, when obtained, on page 3 of the Clinical Psychotropic Progress Note Form (HS 006), or a form developed by the program that contains all the information required on page 3 of form HS 006. The verbal consent must be witnessed, and the witness will sign on page 3 of the form HS 006 along with the Psychiatrist/Psychiatric APRN's signature, where indicated.

(c) A copy of the 3rd page of the Clinical Psychotropic Progress Note (HS 006) or a form developed by the program that contains all the information required on page 3 of form HS 006, and the Acknowledgment of Receipt of CPPN or Practitioner Form (Parental Consent for Psychotropic Medication) (HS 001) shall be mailed to the parent/guardian/assigned custodian. The Acknowledgment of Receipt of CPPN or Practitioner Form (Parental Consent for Psychotropic Medication) (HS 001, January 2024) is incorporated by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16912>.

(d) The parent or legal guardian's signature on the Acknowledgment of Receipt of CPPN or Practitioner Form (Parental Consent for Psychotropic Medication) (HS 001) provides written consent for the psychotropic medications as

recorded on page 3 of the CPPN form HS 001 mailed to the parent, legal guardian, or assigned custodian.

(9) Where parental rights have been terminated and the youth is prescribed psychotropic medications the department or its representatives shall obtain an order of the court authorizing the treatment prior to the treatment being rendered. The department or its representative may ask the Department of Children and Families to assist with this process or confirm authorization has been given in accordance with Chapter 65C-35, F.A.C.

(10) The Psychiatrist or Psychiatric APRN must brief the facility's treatment team on the psychiatric status of each youth receiving psychiatric services who is scheduled for treatment team review. The briefing may be accomplished through face-to-face interaction or telephonic communication with a representative of the treatment team, or through a detailed progress note submitted by the Psychiatrist or Psychiatric APRN prior to the treatment team meeting.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.601(3)(a), 985.14(3)(a), 985.145(1), 985.18, 985.48(4), 985.64(2) FS. History—New _____.

63M-2.0032 Role of Superintendent/Facility Administrator/ Director in Healthcare Services.

(1) The Facility Superintendent/Major or Facility Administrator/Program Director, with collaborative support from the Office of Health Services, is responsible for:

(a) Ensuring that the Designated Health Authority is clearly informed of all of the department's health care requirements at the time of the negotiation of the agreement/contract. This responsibility can be delegated to the Facility Superintendent or Program Director Designee and shared with supervisors at the Provider's Regional level;

(b) through (c) No Change.

(2) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0033 Nursing Staff Requirements

(1) Licensed nurses are required to practice within the Florida Nurse Practice Act and the applicable Florida Board of Nursing Rules (Chapter 464, F.S. and Chapter 64B9, F.A.C.).

(2) All detention and residential facilities shall have on-site nursing coverage to be provided by Registered Nurses (RNs) or, at a minimum, Licensed Practical Nurses (LPNs) as outlined by contract.

(3) The licensed healthcare professional that is providing the direction to the LPN is responsible for reviewing all medical cases daily with the LPN, and be available by electronic or telephonic means on-call for consultation for the LPN. Based upon the results of this clinical consultation, on-site assessment

and management of medical cases must be provided by the licensed healthcare professional.

(4) Each detention and residential facility shall have practitioner level on-call medical coverage for nights and weekends when no nurse is on-site. There shall be a staff person on every night or weekend shift responsible for accessing medical services or personnel. For specialty facilities and intensive medical facilities, a higher level of nursing coverage may be indicated and shall be clearly articulated per a contractual agreement with the department.

(5) Health care staff shall not be involved in the collection, assembly, or interpretation of, information or laboratory data that will be used in judicial processes to ensure the nurse patient relationship is maintained and establish that the patient advocacy role is clear to the youth receiving care.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0035 Protocols and Procedures.

(1) Protocols shall adhere to community standards of practice and identify and support the need for maintaining youth privacy during examination and handling of health information. Clinical encounters shall be conducted in private. Escorting, non-health care staff/officers, shall maintain distance from the examination for privacy, however, shall also maintain presence within medical to ensure the safety of medical personnel.

(2)(1) No change.

(3)(2) The facility Designated Health Authority shall review and approve treatment protocols for the on-site licensed nursing staff and non-licensed staff to utilize when administering care in response to commonly encountered complaints. These protocols must be within the scope of practice and level of expertise and training of the staff conducting the evaluation for care. Sick Call process.

(4)(3) No change.

(5)(4) When utilizing treatment protocols, the Designated Health Authority or Physician Designee, PA or APRN ARNP shall be contacted when deemed necessary based upon clinical judgment and when the protocol indicates.

(6)(5) Documentation of the implemented treatment protocol shall be recorded by one of the following:

(a) Within the Electronic Health Record On the treatment protocol copy;

(b) Directly on the Sick Call Request Form (HS 032, February 2010);

(c) For non-licensed staff, the Report of On-Site Health Care by Non-Health Care Staff Form (HS 049, December 20232006), which is incorporated into this rule and is available electronically

at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1693103796> or may be obtained by contacting: DJJ, Office of

~~Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(d) No change.

~~(7)(6)~~ The Designated Health Authority, the Psychiatrist, ~~(if applicable)~~, and the Dentist ~~(if services are provided on site applicable)~~, must review, sign and date all of their respective written treatment protocols annually, each time a new protocol is developed and/or when an existing one is changed ~~at a time other than the annual review~~.

~~(8)(7)~~ Nursing staff must review, sign and date a cover page, on which all applicable Facility Operating Procedures, treatment protocols, and other procedures are listed, annually. Any changes in these documents that are made during the year must be reviewed, signed, and dated by each nurse on the individual documents or a designated page.

~~(9)(8)~~ An annual review of all applicable Facility Operating Procedures and treatment protocols is required. This is demonstrated by the signature and date of the DHA and facility Superintendent/Program Director.

~~(10)(9)~~ No change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0037 Verification of Credentials.

(1) The facility Superintendent, Program Director or designee are responsible for verification of credentials prior to contract execution and at the time of a change in medical provider prior to admittance to the facility/center for all health care providers at that facility.

(2) A copy of the following documentation shall be maintained in the health care provider's service agreement file at the facility/center and with the contract manager at the respective regional office:

(a) No change.

(b) Curriculum Vitae (for APRN licensure and higher level) Resume; and

(c) No change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0038 Students or Interns.

(1) No change.

(2) All student observation experiences must be pursuant to a written agreement with the academic institution and the medical provider, and the agreement must also be on file with the department contract manager.

(3) through (5) No change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0039 Interdisciplinary Risk Reduction/Quality Improvement.

(1) No Change.

(2) Meetings shall be held and documented no less than quarterly, whereby all disciplines that provide or oversee the provision of physical and mental health care, programming/operations and behavior management are represented. Additional meetings shall be held as needed when an adverse or sentinel event occurs or the potential for such an event is recognized.

(3) Simple Root Cause Analysis or another problem-solving methodology shall be conducted for ~~review of actual adverse or sentinel events~~ and reviewed during such meetings. *Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.*

63M-2.0041 Healthcare Admission Screening.

(1) Each facility shall screen every youth upon admission to determine if the youth has an acute injury, illness, chronic medical condition, physical impairment (e.g., speech, hearing, visual), mental disability, or developmental disability that requires medical or mental health evaluation and treatment, and/or medication needs to be met.

~~(a) An oral screening shall be on the Oral Health Assessment Form (HS 050, February 2007), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref 03797> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a form of their choice as long as the form includes all information required on the Oral Health Assessment Form that is incorporated by reference into Chapter 63M 2, F.A.C.~~

~~(b) All youth shall be screened for possible Sexually Transmitted Diseases by completing the Sexually Transmitted Infections Screening Form (HS 029, October 2006), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref 03798> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a form of their choice as long as the form includes all information required on the Sexually Transmitted Disease Screening Form that is incorporated by reference into Chapter 63M 2, F.A.C.~~

~~(c) All youth shall be screened for possible communicable diseases by utilizing the Infectious and Communicable Disease Form (HS 018). The Infectious and Communicable Disease Form (HS 018, October 2006) is incorporated into this rule and is _____ available _____ electronically _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref 03799>~~

~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(a)(~~d~~) In detention facilities, a Medical and Mental Health Admission Screening must be conducted by detention staff and documented in the Facility Management System (FMS).

(b)(~~e~~) In residential commitment programs, the Facility Entry Physical Health Screening document (HS 010) shall be utilized. The Facility Entry Physical Health Screening form (HS 010, March 2024 ~~May 2007~~) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1691703800> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(c)(~~f~~) In a Juvenile Assessment Center, the Probation Medical and Mental Health Clearance Form (HS 051) shall be utilized when law enforcement delivers a youth to the department for screening or for youth who are self-surrendering without law enforcement present upon apprehension. The Probation Medical and Mental Health Clearance Form (HS 051, July 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03801> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(2) A licensed nurse, advanced practice registered nurse (APRN), ~~practitioner (ARNP)~~, physician assistant (PA) or physician (MD or DO) shall review the admission screening within 24 hours of a youth's admission to a detention center or residential commitment program if the screening was not conducted by a licensed nurse. The following screenings are to be completed after the completion or review of the Facility Entry Physical Health Screening or the Medical and Mental Health Admission Screening:

(a) An oral screening shall be on the Oral Health Assessment Form (HS 050, April 2024), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16932>. The facility may utilize a form of their choice as long as the form includes all information required on the Oral Health Assessment Form that is incorporated by reference into Chapter 63M-2, F.A.C.

(b) All youth shall be screened for possible Sexually Transmitted Diseases by completing the Sexually Transmitted Infections Screening Form (HS 029, April 2024), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16927>. The facility may utilize a form of their choice as long as the form includes all information required on the Sexually Transmitted Disease Screening Form that is incorporated by reference into Chapter 63M-2, F.A.C.

(c) All youth shall be screened for possible communicable diseases by utilizing screening instruments and documentation on the Infectious and Communicable Disease Form (HS 018, March 2024). The Infectious and Communicable Disease Form (HS 018,) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16922>.

(3) Youth are to be re-screened utilizing the Medical & Mental Health Screening Tool for Detention or Facility Entry Physical Health Screening (HS 010) by the receiving facility whenever they are moved from one facility to another with an anticipated stay of 24 hours or more to include transfers within detention.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0043 Routine Notification of the Designated Health Authority upon Admission.

(1) In situations where a youth does not require immediate emergency transfer, the Designated Health Authority or designee must be notified of all youth admitted with a medical condition, illness, or injury documented at the time of screening. This notification may be by telephone, electronically, or verbally with documented confirmation, in accordance with state and federal privacy regulations.

(2) No change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0044 Tuberculosis (TB) Control and Screening.

(1) All facilities shall implement routine screening for all youth for ~~latent and active~~ tuberculosis, upon within 72 hours of admission, as well as environmental controls in the case of a youth with active Tuberculosis, in accordance with the Florida Department of Health Centers for Disease Control and Prevention recommendations.

(2) After the initial screening, a TB test shall be completed within 7 days of admission, if there is no documentation of a current (within one year) TB test on file.

(3)(~~2~~) Renumbered and no change.

(4)(~~3~~) The Designated Health Authority or designee shall be responsible for the reporting of all youth with confirmed TB disease to the Department of Health.

(5)(~~4~~) Renumbered and no change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0045 Medical Alert System.

(1) through (3) No Change.

(4) All youth with Medical Grades of 2-3-5 shall be placed on the facility's Medical Alert System.

(5) The following medical conditions and issues warrant placement of a youth on Medical Alert:

- (a) through (f) No Change.
- (g) Developmental disability or intellectual disability mental retardation; and
- (h) Medication side effects; and
- (i) Immunocompromised.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0046 Healthcare Orientation of Committed Youth.

- (1) No Change.
- (2) The healthcare orientation shall be provided by a nurse, or at a minimum, by a non-licensed staff knowledgeable with the health care delivery system, and shall include at a minimum: access to care, sick call vs episodic/emergency care, medication process, right to refuse care, what to do in the case of a sexual assault or attempted sexual assault; the non-disciplinary role of the health care providers and general infection control/hygiene.

(3) through (5) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0047 Health-Related History (HRH).

(1) The HRH Health-Related History (HS 014) shall be completed no later than seven (7) calendar days following the date of admission ~~and prior to the youth engaging in strenuous exercise or being subjected to extreme outdoor weather conditions including, but not limited to, high heat indices and frigid temperatures.~~ The HRH Health-Related History (HS 014, ~~March 2024 August 2009~~) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1692003802> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(2) The HRH Health-Related History shall be conducted or reviewed by a nurse through interview of the youth and then made available to the Designated Health Authority or Physician Designee, PA, or APRN ARNP, prior to conducting or reviewing the Comprehensive Physical Assessment (CPA).

(3) When a youth re-enters the department’s custody or is placed in a another residential facility, a nurse, together with the youth shall review the HRH Health-Related History. Corrections and revisions shall be made at this time and documented on the section page reserved for this purpose. Review of health information shall be documented by signature and date on the HRH at the time of review.

(4) Nursing assessments, including a summary of the health-related issues of the youth shall be documented. Medical

Alerts based on the history are to be implemented or corrected as applicable.

(5) The HRH can be reviewed a total of six (6) times before a new HRH will need to be completed. A new HRH shall be completed annually.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0048 Comprehensive Physical Assessment (CPA).

(1) The Comprehensive Physical Assessment (HS 007) shall be completed no later than seven (7) calendar days following the date of admission ~~and prior to the youth engaging in strenuous exercise or being subjected to extreme outdoor weather conditions including, but not limited to, high heat indices and frigid temperatures.~~ For youth with a Comprehensive Physical Assessment completed prior to admission, see subsection 63M-2.0048(98), F.A.C.

(2) The DHA/designee may place the youth on a 72-hour observation with no contact sports or extensive exercise regimen. Attempts shall be made to interview the parent/legal guardian/assigned custodian to determine any current physical activity restrictions in effect prior to admission to detention. Youth shall be screened for chronic health conditions that may potentially prevent participation in strenuous physical activity. Youth who are re-admitted to detention will be screened for history of known physical activity restrictions post practitioner assessment during the prior admission. If there are no symptoms that would warrant concern for participation in activity during the 72 hours, the activity restriction may be lifted after consulting with the practitioner or at the completion of the CPA.

~~(3)(2)~~ No change.

~~(4)(3)~~ The standard Comprehensive Physical Assessment (CPA) form shall be used by all practitioners. The Comprehensive Physical Assessment (HS 007, ~~February 2024 October 2007~~) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1691403803> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ When a community practitioner completes the CPA, (physician, PA, or APRN ARNP), all efforts shall be made to provide them with the approved form for documentation. If this cannot be done, the DHA, his/her physician designee, PA or ARNP shall augment that assessment to ensure that all of the CPA’s required components are clearly documented on the alternate form.

~~(5)(4)~~ A new CPA, or a focused medical examination documented in the chronological progress notes, shall be

completed as clinically indicated when a youth's condition warrants.

(a) At a minimum, a focused note must be completed with each additional admission and completion of the Additional Reviews to Comprehensive Physical Assessment form (HS 052).

(b) All screening components (i.e., vital signs, vision, height, weight, Body Mass Index (BMI)) shall be completed at the initial CPA and at the time of the focused note.

~~(6)(5)~~ No change.

~~(7)(6)~~ Registered Nurses and Licensed Practical Nurses may only increase a Medical Grade; they are not permitted to decrease grades. These changes shall be documented in the progress notes as well as the Problem List (HS 026), Medication Administration Record (HS 019) and Practitioner's Orders. The Problem List (HS 026, April 2024 October 2006) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1692503804> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

~~(8)(7)~~ No change.

~~(9)(8)~~ A Comprehensive Physical Assessment completed prior to the youth's current admission may be used as follows:

(a) A current CPA with no changes in the youth's medical condition. The current CPA shall be reviewed as the youth is examined and signed off as reviewed by the physician, PA, or APRN ARNP.

~~(b) The CPA shall only be reviewed with the completion of a focused note, up to six times, before a new CPA shall be initiated to avoid confusion on the youth's condition and to ensure clear documentation of the current condition. A current CPA with a change in the youth's medical condition. The clinician shall conduct a focused medical evaluation of the youth and document in the progress notes of the Individual Health Care Record.~~

~~(10)(9)~~ No change.

(11) A visual acuity (without correction) of 20/40 (both eyes) will require referral for visual examination by a licensed optometrist or ophthalmologist within 60 days of screening.

(12) A BMI of less than 18 or greater than 29.9, shall have a periodic evaluation and initiate a plan of care by the DHA/designee. After the DHA completes the physical assessment, the DHA may document justification if a plan of care is not needed for obesity (i.e., large muscle mass).

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.005 Consent and Notification Requirements.

The following are the requirements for the authorization of health care services to youth in the physical custody of the department.

(1) The Authority for Evaluation and Treatment (AET) is the means by which the department obtains the consent of the parent, ~~or guardian, or assigned custodian~~ for basic health and mental health evaluation and treatment. Covered services and exclusions are described on the form. The AET is not required for emergency services. Under no circumstances shall emergency services be withheld pending provision of a signed AET. The AET (HS 002, January 2024 February 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1691303805> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ (a) The department's Juvenile Probation Officer (JPO) or Facility Superintendent is responsible for ensuring that the AET is signed and dated by the parent or guardian at the first available opportunity.

(2) The AET remains valid for as long as the youth is in custody or under supervision. It becomes invalid if youth is on abscond status for greater than 1 year. The abscond status for greater than one year would then warrant a new AET to be completed, or for one year after signing, whichever comes later

(a) The AET is no longer in effect once a youth turns 18 years of age or shows proof of legal emancipation by a court order.

(b) When a youth with developmental disabilities turns 18 years of age while in department custody, the regional counsel must be consulted to determine that the party authorized to provide consent has been identified and shall proceed as in Chapter subparagraph 63E-7.001(3)(a)5, F.A.C.

(3) The AET may be revoked by the parent/guardian/assigned custodian in whole or in part. Revocation or modification shall be documented as follows:

(a) The JPO must ensure that the original or a legible copy of the signed and witnessed AET is provided for inclusion in the youth's Individual Health Care Record (IHCR) and EHR. It is the final responsibility of the JPO supervisor to ensure the legible signed and witnessed copy of the AET is included in the completed commitment packet prior to approving the packet.

(b) If a subsequent AET is obtained, it shall be filed directly on top of the prior AET in the IHCR and uploaded to the department's electronic system. The JPO shall maintain a copy of the AET.

(4) No change.

(5) When emergency medical services are provided, the facility superintendent, program director or designee must immediately attempt to notify the parent, ~~or guardian, or assigned custodian~~ once the need for necessary treatment is established. The contact attempts will be documented in the

chronological progress notes and in accordance with assigned permissions in the EHR.

(6) In situations where the parent/legal guardian/assigned custodian is unable to make a face to face appearance for authorization and witnessed signature of the AET, a verbal, witnessed authorization may be obtained and documented on the Limited Consent for Evaluation and Treatment (HS 057), until such time the parent/legal guardian/assigned custodian is able to make a face to face appearance and provide a witnessed signature, in order to ensure necessary medical care is provided on site at a detention facility.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0051 Routine Consent – Authority for Evaluation and Treatment (AET).

(1) Because a signed AET is essential to providing routine health services to youth, an effort must be made to obtain a signed AET as early as possible during the youth's intake and stay. the following procedure shall be employed to obtain this critical authorization:

(2) Department staff shall obtain routine consent for health services, either through a signed AET or a referenced alternative, under the following procedure:

(a) If the parent, ~~or~~ guardian, or assigned custodian is available at the detention screening a JPO/designee or during the youth's detention stay, the assigned JPO or staff at the detention center must explain the AET and obtain the required signature. If the parent, guardian, or assigned custodian is available during the youth's detention stay the detention representative/medical provider must explain the AET and obtain the required signature.

(b) If the parent, ~~or~~ guardian, or assigned custodian is not available during the detention screening, an the assigned JPO shall schedule an intake conference with the parent, ~~or~~ guardian, or assigned custodian for the purpose of completing the AET at the earliest possible time and within 7 days of admission.

(c) If the parent, guardian, or assigned custodian has expressed objection to signing the department AET, a JPO/designee will work with DJJ counsel to assist in obtaining a court order for medical services. The department representative introducing the AET to the parent or guardian must review the basic components of the document with the parent or guardian.

(d) If a youth arrives at a detention center or residential commitment program without a signed AET, the facility administrator or designee must immediately contact the respective Chief Probation Officer or designee for assistance with the parent, guardian or assigned custodian.

(e) For detained youth who have not been committed to the department, and for whom an AET has not yet been obtained,

the detention superintendent or the person in charge of the detention center or facility, or his or her designee, shall authorize a Healthcare Admission Screening as per Rule 63M-2.0041, F.A.C., to determine if the youth is in need of medical care or isolation via the execution of the Limited Consent for Evaluation and Treatment form. The Limited Consent for Evaluation and Treatment (HS 057, May 2024) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16934>. For additional, non-emergency care and treatment, consent shall be obtained as follows:

1. Authorization for additional examination and treatment, including the continued provision of currently prescribed medication, ~~standard vaccinations,~~ specified over-the-counter medications, and other routine services shall be provided as authorized by the youth's parent, ~~or~~ guardian, or assigned custodian in a signed Authority for Evaluation and Treatment (HS 002, February 2010).

2. Where a signed AET has not been obtained, and the person with the power to consent to examination or treatment cannot be contacted after a diligent search, and has not expressly objected to consent, the Detention Facility Superintendent or Assistant Facility Superintendent may consent to ordinary and necessary medical treatment, including immunizations, and dental examination and treatment as set forth in Section 743.0645, F.S. The assigned JPO shall conduct the diligent search as set forth in the form Affidavit of Diligent Effort (HS 056, January 2012), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03806> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ The assigned JPO shall complete the Affidavit of Diligent Effort and attach to the youth's Limited Consent for Evaluation and Treatment (HS 057, ~~December 2013~~), ~~which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03807> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ The Facility Superintendent providing the consent for the youth shall sign the Limited Consent for Evaluation and Treatment.

3. Where the youth is in the dependency system and is served by the Department of Children and Families, the following process applies:

~~a. Where the youth has not been removed from the parent's home, the JPO shall obtain the parent's consent to ordinary medical treatment by executing the Limited Consent for Evaluation and Treatment (HS 057, December 2013).~~

~~a.b.~~ Where parental rights have not been terminated and the youth is in out-of-home care, such as a foster home, group home, or unlicensed caregiver, the parent shall be contacted to

~~sign the AET, the JPO shall contact the Department of Children and Families or its contracted service provider to locate the parent to consent to ordinary medical treatment by executing the Limited Consent for Evaluation and Treatment (HS 057, December 2013).~~

b. Parental consent is not required where the court order placing the youth in out-of-home care specifically gives authority to consent to ordinary medical treatment to the Department of Children and Families or the out-of-home caregiver. Where these circumstances exist, either the Department of Children and Families or the court assigned out-of-home caregiver may consent to ordinary medical treatment by executing the Limited Consent for Evaluation and Treatment (HS 057, December 2013).

c. Where parental rights have been terminated and the youth is in the custody of the Department of Children and Families, the Department of Children and Families or its contracted service provider may consent to ordinary medical treatment by executing the Limited Consent for Evaluation and Treatment (HS 057, December 2013).

d. Where parental rights have been terminated and the youth is prescribed psychotropic medications refer to subsection 63M-2.00315(9), F.A.C.

(f) For youth committed to the department; prior to admission to a residential commitment program of a youth under 18 years of age or a youth 18 years of age or older who is incapacitated as defined in Section 744.102(12), F.S., the youth's JPO shall provide the residential commitment program with an original or a legible copy of the signed AET or a court order addressing the provision of routine physical and mental healthcare. The Limited Consent for Evaluation and Treatment (HS 057) is not applicable for use in residential commitment programs. However, when a youth is 18 years of age or older and not incapacitated, or otherwise emancipated as provided in Section 743.01 or 743.015, F.S., no AET or court order is required since the youth is responsible for authorizing his or her own physical and mental health care.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.0052 Special Consent.

(1) Additional consent is required in special circumstances through the Parental Notification of Health Related Care: General (HS 020, January 2014) and is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03808> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ Informed consent is required for the following:

(a) through (b) No change.

(c) Pelvic Examinations as defined in section 456.51, F.S. Dental services other than evaluations;

(d) Any procedure or service of an invasive nature including dental fillings, crowns and anesthesia;

(e) through (f) No change.

(2) Newly prescribed New medications, or a significant change to medications (including OTCs), excluding psychotropic medications, require parental notification consent through the Parental Notification of Health-Related Care: Medication Management Medications (HS 021 April 2024 January 2014) and is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1692303809> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. Reasonable attempts shall be made to contact the parent/guardian/assigned custodian verbally/by telephone prior to making the changes in order to explain the medications.

(3) New Vaccinations and Immunizations shall be provided in accordance with 64D-3 F.A.C. and informed consent obtained and documented by utilizing require parental consent through the Parental Notification of Health Related Care: Vaccinations/Immunizations (HS 022, February 2010) which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03810> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.

(4) When the person authorized to consent withholds, revokes or limits consent for any recommended treatment, the program's Designated Health Authority, based on his or her clinical judgment, shall determine whether failure to provide the treatment will potentially result in serious or significant health consequences for the youth or threaten his or her life or jeopardize the health of other youth and staff in the program. If the Designated Health Authority so determines, the program director shall explain the situation to the person withholding, revoking or limiting consent, encouraging him or her to consent to the needed treatment; however, if consent is still denied, the program director shall contact the department's regional general counsel to request assistance to that he or she obtain a court order authorizing the treatment.

(5) No change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 6-20-14, Amended _____.

63M-2.006 Sick Call.

(1) No change.

(2) Sick Call shall be regularly scheduled in each facility and conducted by a licensed health care provider within 24 hours of placing the sick call request.

(3) No change.

(4) Review and triage of Sick Call requests shall be conducted as follows:

(a) No change.

(b) When a licensed health care professional is not on site, the shift supervisor shall review all ~~Sick~~ Ceall requests as soon as possible, within four (4) hours after the request is submitted. Issues requiring attention prior to the next scheduled Sick Call shall be addressed as per Rule 63M-2.009, F.A.C.

~~(5)4-~~ Renumbered and no change.

~~(6)2-~~ If a facility utilizes a Licensed Practical Nurse (LPN) without the presence of a Registered Nurse, the LPN shall conduct the Sick Call. The LPN shall review all sick call requests daily, which is defined as seven days a week, including Holidays, (either telephonically or in person) with someone at the level of a Registered Nurse or a higher licensure level.

~~(7)(5)~~ After appropriate evaluation of the Sick Call requests have ~~has~~ been completed:

(a) No change.

(b) For detention facilities, the staff shall utilize the department's electronic system JJIS and FMS to enter the Sick Call requests generated by the youth. This entry must then generate a notice to the nurse for his/her timely review. Every facility shall have a backup method for notification to the nurse in situations where the computerized system is unavailable.

~~(8)(6)~~ Youth identified as having the same complaint and seen by the nurse three times within a two-week period shall be referred to the Physician, APRN ARNP or PA. Episodic encounters must be taken into account when determining the frequency of care provided for the same complaint.

~~(9)(7)~~ A youth who has received medical evaluation and treatment by the APRN ARNP or P.A. more than once for the same complaint that has demonstrated no improvement after two medical evaluations shall be referred immediately to a physician (on-site, off-site or Emergency Room).

~~(10)(8)~~ The RN, APRN ARNP or P.A. shall immediately notify the DHA (physician) when he or she cannot determine the nature and/or severity of a youth's medical or clinical condition. The Designated Health Authority has the final authority for determining the next medical course of action.

~~(11)(9)~~ When a non-licensed staff person has a concern regarding a youth's need to be seen ~~as early as possible in Sick Call,~~ whether or not the youth has made a Sick Call Request, the staff shall notify the nurse and the youth shall be seen and triaged for sick call or episodic care as early as possible. When no nursing staff are on site the DHA/designee shall be contacted regarding the youth(s) immediate need for care, as soon as possible.

~~(12)(10)~~ The Sick Call documentation shall be as follows:

(a) Youth in Residential Commitment Programs shall complete the Sick Call Request Form (HS 032). The Sick Call

Request Form (HS 032, April 2024 February 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1693003811> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. When an electronic format of this form is used, all components of the sick call shall be incorporated and completed at the time of the completion of the sick call.

(b) For youth who need assistance initiating completing the Sick Call Request form, a staff person shall be available. ~~The staff person must communicate to the youth that this then gives them access to the youth's personal information.~~ The staff person shall maintain the youth's confidentiality.

(c) The completed Sick Call Request forms shall be placed in a secure location inaccessible to youth to be provided to the nurse or provided electronically to medical staff.

(d) No change.

(e) Detention facilities shall utilize the department's established electronic system Facility Management System (FMS) and the Juvenile Justice Information System (JJIS) to coordinate and document Sick Call. A copy of the completed electronic Sick Call Request form shall be placed in the youth's Individual Health Care Record and maintained in the EMR/EHR.

(f) When the youth is evaluated and treated by the facility's Physician, PA or APRN ARNP, the Chronological Progress note section shall be utilized to provide documentation for the Individual Health Care Record and EMR/EHR. The documentation shall include subjective findings, objective findings, the medical assessment of the youth, and the plan of care for treatment of the youth.

(g) Sick Call complaints shall be listed on The Sick Call Index form (HS 030); and maintained filed in the section reserved for the Core Health Profile in the Individual Health Care Record/EHR. The Sick Call Index (HS 030, April 2024 October 2006) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1692803812> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(13)(11)~~ An aggregate Sick Call/Referral Log (HS 031) or electronically generated form must be utilized at each residential program. The Sick Call/Referral Log (HS 031, January 2024 October 2006) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1692903813> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a form of their choice if as long

as the form includes all information required on the Sick Call/Referral Log.

~~(14)~~(12) Detention facilities shall utilize the sick call log generated by the department's electronic ~~JHS~~ system.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 6-20-14, Amended.

63M-2.008 Periodic Evaluations.

(1) A periodic evaluation and plan of care by a Physician, PA or APRN ARNP shall be conducted for youth in a facility who:

(a) through (c) No change.

(2) Periodic evaluations shall be conducted, at a minimum, once every three (3) months except for situations of prescribed epinephrine auto injectors and OTC's which can be evaluated and prescribed every 6 months in accordance with community standards.

(3) through (6) No change.

(7) Periodic evaluations conducted off-site shall be documented on the Summary of Off-Site Care Form (HS 033); and filed in the Individual Health Care Record ~~in the chronological progress notes~~, in reverse chronological order, along with any records from the off-site provider and uploaded to the department's EMR/EHR, where applicable. The Summary of Off-Site Care Form (HS 033, October 2006) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03814> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended.

63M-2.009 Episodic Care.

(1) Medical issues that require immediate attention shall be determined ~~defined~~ by the DHA or physician designee.

(2) Any complaint of severe pain, including dental pain, shall be treated as an emergency with immediate referral to the on-site nursing staff, APRN ARNP, PA or Physician.

(3) No change.

(4) If a program utilizes a Licensed Practical Nurse (LPN) without the presence of a Registered Nurse on-site, then the LPN shall review all episodic or emergency cases daily, which is defined as seven days a week, including Holidays, (either electronically, telephonically or in person) with either the Registered Nurse or a higher licensure level health care staff.

(5) through (6) No change.

(7) Episodic care provided by a non-licensed staff person, or that requires off site care, must have a follow-up evaluation/assessment by a licensed health care professional the next time this person is on-site, ~~or sooner, if warranted.~~

(8) The Designated Health Authority or physician designee shall be notified when a youth requires emergency transfer off-site for evaluation, treatment and/or hospitalization. The DHA/Designee shall perform a physician evaluation and review of records at the first available opportunity.

(9) Non-licensed staff members who provide first aid and/or emergency care are authorized to provide care only within their training and maintain required certifications as per Chapter 63H-~~32~~, F.A.C.

(10) First aid supplies shall be kept and maintained on-site as determined by the Designated Health Authority. First aid kits for vehicles shall be stored in a cool environment to protect contents from heat exposure and checked out prior to use of the vehicle to transport youth.

(11) No change.

(12) Training records and proof of staff certifications shall be maintained per Chapter Division 63H-3, F.A.C.

(13) Emergency drills, both announced or unannounced, shall be conducted for each shift, on a quarterly basis at a minimum, and simulate an episodic care event that calls for immediate need of First Aid and/or administration of CPR techniques and the initiation of the emergency procedures to follow when a life-threatening emergency does occur. Documentation of these drills shall also be maintained per facility. CPR and AED techniques shall be demonstrated at least annually. All staff from all shifts with direct contact on a day-to-day basis must participate in at least one emergency drill annually which demonstrates CPR/AED.

(14) No change.

(15) Episodic care subsequent to a Protective Action Response (PAR) shall be conducted pursuant to Chapter paragraph 63H-~~31.007(2)(d)~~, F.A.C.

(16) All episodic care provided by licensed healthcare staff shall be documented in SOAP format in the chronological progress notes in the Individual Health Care Record. Episodic care provided by non-licensed staff may be recorded on the Report of On-Site Health Care by Non-Health Care Staff Form (HS 049, ~~December 2006~~), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03815> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.

(17) All episodic care provided shall be documented on the Episodic Care (First Aid/Emergency) Care Log (HS 009, February 2024 ~~October 2006~~) The Episodic (First Aid/Emergency) Care Log is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1691603816> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a form of their choice if as long

as the form includes all information required on the Episodic Care (First Aid/Emergency) Care Log that is incorporated by reference into Chapter 63M-2, F.A.C.

(18) Routine or emergency care conducted off-site shall be documented on the Summary of Off-Site Care form (HS 033, October 2006), and filed in the Individual Health Care Record, in reverse chronological order along with any records from the off-site provider and uploaded to the department's EMR/EHR where applicable.

~~(19)(18)~~ No change.

(20)(19) PAR/RI Medical Review documentation is as follows:

(a) The Post-PAR/RI interview and PAR Medical Review shall be documented on a the progress note in the youth's Individual Health Care Record. The individual performing the Post-PAR interview will also sign and date the PAR Report.

(b) If an off-site medical review is conducted, the relevant sections of the youth's Individual Health Care Record and Medication Administration Record shall accompany the youth to the review as well as a Summary of Off-Site Care form indicating the type of examination needed. After the off-site medical review, the documents will then be placed in reverse chronological order in the designated section of the youth's Individual Health Care Record.

~~(c) After an off site medical review, the top of each page returned by the reviewer must be dated and labeled with "PAR Medical Review." The documents will then be placed in reverse chronological order in the Progress Notes in the youth's Individual Health Care Record.~~

~~(c)(d) The facility Superintendent or Program Director shall have access to the medical Post-PAR/RI documentation for review. review the PAR Incident report, Post-PAR interview and the PAR Medical Review.~~

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.010 Girls Gender-Responsive Medical Services.

(1) The Designated Health Authority or physician designee, PA or APRN ARNP shall be responsible for the management of appropriate girls' medical gender-responsive and age-related health care and services in addition to routine medical care and services.

(2) ~~Girls' Gender-responsive~~ medical care shall include all of the following conditions:

(a) through (i) No Change.

(3) through (4) No Change.

(5) Any female youth that identifies her menstrual cycle as more than two weeks late shall have a urine or blood pregnancy test performed with consent.

(6) Once a youth is identified as being pregnant, the Designated Health Authority or physician designee, PA or

~~APRN/ARNP~~ shall be immediately notified, and medication held until explicit instructions are given regarding continuation of the current medication regimen.

(7) through (9) No Change.

(10) All staff working in facilities and programs which serve girls shall be provided education and training on gender-specific health care issues of the adolescent female. A licensed nurse shall provide in-service education on girls' health care, at a minimum, on an annual basis to all non-licensed staff.

~~(11) The Designated Health Authority or Physician Designee shall be responsible for the medical management oversight for neonatal medical care for the infant. Collaboration with community health care providers shall be utilized when necessary to obtain neonatal specialized health care services.~~

~~(12) The Provider shall provide daycare services for these infants. By providing daycare services, the Provider is responsible for complying with all Florida Statutes and regulations concerning the care of infants in this setting. The Provider shall comply with all Florida Statutes with regards to the transportation of infants.~~

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.021 Pharmacy Permits and Licenses.

(1) No change.

(2) A Pharmacy and Therapeutics Committee (PTC) shall be established and meet at least quarterly in facilities as defined in Chapter Rule 64B16-27.300, F.A.C., Standards of Practice – Continuous Quality Improvement Program. Each facility shall identify the Pharmacy and Therapeutics Committee members in the facility's medication management operating procedures, based upon the requirements as stated in Rule 64B16-27.300, F.A.C.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.022 Verification and Procurement of Medications Prescribed Prior to Admission.

(1) Facility and/or Program staff must continue all currently prescribed and verified medications to youth prior to entering the department's custody.

(2) A duly licensed Physician, PA or APRN ARNP must make all changes in medication regimens subsequent to an appropriate assessment. Under no circumstances may staff in a facility discontinue an appropriately prescribed medication that the youth is receiving upon admission.

(3) Upon admission to a facility, the youth and parent or guardian/assigned custodian (if available), shall be interviewed about the youth's current medications. ~~Refer to required forms HS-051 (Probation Medical and Mental Health Clearance Form~~

~~for Detention Centers) or HS 010 (Facility Entry Physical Health Screening for Residential Commitment Programs).~~

(4) No change.

(5) Only medications from a licensed pharmacy, with a current, patient-specific label intact on the original medication container may be accepted into a Department facility.

(6) Medications may not be administered unless all of the following have been met:

(a) No change.

(b) Either the youth or the parent/guardian/assigned custodian has brought the valid, patient-specific medication container to the facility, or can be verified by contacting the current provider or dispensing pharmacy;

(c) through (d) No Change.

(7) After medication verification, the Medication Receipt, Transfer, & Disposition Form (HS 053, October 2023 September 2010) shall be completed, with copy of the form provided to the parent/guardian/assigned custodian (when parent/guardian/assigned custodian is available). The Medication Receipt, Transfer & Disposition Form (HS 053; September 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1693303817> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~ The original form shall be a part of the Individual Health Care Record.

~~(8) If the prescription medication cannot be verified as authentic, the prescription and contents shall be verified by:~~

~~(a) Calling the pharmacy that dispensed the medication; or~~

~~(b) Calling the outside provider who prescribed the medication.~~

~~(8)(9)~~ Further medication verification requires DHA or physician designee, PA, or APRN ARNP notification and a medical evaluation of the youth completed, with documentation in the Chronological Progress Notes.

~~(9)(10)~~ A Practitioner's Order from the DHA or Physician Designee, PA or APRN ARNP is required to resume the specified medications. ~~The Practitioner's Orders Form (HS 024, October 2006) shall be utilized, is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03818> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a form of their choice as long as the form includes all information required on the Practitioner's Order Form that is incorporated by reference into Chapter 63M-2, F.A.C.~~

~~(10)(11)~~ Renumbered and no change.

~~(11)(12)~~ The Designated Health Authority or physician designee, PA or APRN ARNP shall be notified within 24 hours

when a youth with a medication has been admitted into the facility, within 24 hours.

~~(12)(13)~~ Any contact made with the youth's prescribing community practitioner(s) ~~prior to admission~~ shall be documented on a chronological progress note and filed in the youth's Individual Health Care Record. This documentation shall include, at a minimum, the effectiveness of the currently prescribed medications, and side effects and/or precautions.

~~(13)(14)~~ Any medication that is not successfully verified will be destroyed and documented as such per Rule 63M-2.027, F.A.C., or returned to the parent/legal guardian/assigned custodian.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended.

63M-2.023 Transfer of Youth's Medications.

(1) Medication Acceptance (to be utilized when youth is being transported):

For youth being transported through the Statewide Transportation and Relocation System Offender Program, there shall be, at a minimum, a 7-day supply of medications for transport to accompany the youth. A medication pack card shall be utilized when available for transport with the youth that includes the remaining doses of medication.

(2) When nursing staff are not on site, medication verification shall be completed by trained non-licensed staff for those youth who arrive from home for transport. This shall be completed by review of medication labels, determining last dose(s) provided, (by verifying with the parent/guardian/assigned custodian when available), and determining if medication is scheduled to be taken during the transport of the youth. The Non-Licensed Staff Medication Record (HS 054, September 2010) shall be utilized to document when the non-licensed staff delivers medication to the youth during transport. The Non-Licensed Staff Medication Record (HS 054, September 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03819> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(3) The residential commitment program shall provide a transport packet to detention center staff when a youth is delivered to the detention center for transport. The transport packet must include:

(a) No change.

(b) Face Expanded face sheet;

(c) through (e) No Change.

(f) Medication Administration Record (current medication order when if applicable);

(g) No change.

(h) ~~Most recent Current~~ Health Related History and Comprehensive Physical Assessment;

(i) No change.

(j) Youth Transport Card (HS 055, September 2010), which is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03820> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399;~~ and

(k) The completed Medication Receipt, Transfer & Disposition Form (HS 053, ~~September 2010~~) for transfers from one Residential Commitment Program to another.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended—.

63M-2.025 Inventory and Storage of Sharps.

(1) Sharps shall have a perpetual inventory, be securely stored and inventory checked weekly. A week is defined as a seven-day period beginning on Sunday and ending on Saturday.

(2) through (3) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended—.

63M-2.026 Inventory of Medications.

(1) Medication inventory shall include, at a minimum, the following components:

(1)(a) A perpetual inventory with clear descriptions shall be maintained for all stock and over the counter medications with documented weekly checks by a licensed health care staff. A week is defined as a seven-day period beginning on Sunday and ending on Saturday daily running inventory of medication utilization for all stock prescription medications.

(2)(b) Controlled substances must be counted with a witness daily, which is defined as seven days a week, including Holidays. During shifts when a controlled substance is provided, the count must be completed prior to, and after, the administration/delivery of the medication. Shift-to-shift inventory counting of controlled substances shall be conducted under the supervision of a licensed nurse. Non-health When no controlled substances are provided, a shift to shift count is not required. Supervisory level non health care staff trained in the delivery and oversight of medication self administration are allowed to assist the licensed nurse with conducting the count. Only when a licensed nurse is not on-site is the trained non-health care staff permitted to conduct the count without a licensed nurse. This process shall be included in the facility's operating procedure regarding medication management. Each dosage and shift-to-shift inventory of a controlled substance administered to a youth, shall be documented on the youth's Controlled Medication Inventory Record (HS 008). The completed Controlled Medication Inventory Record (HS 008)

shall be filed in the youth's Individual Health Care Record. The Controlled Medication Inventory Record (HS 008, May 2023) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1691503821> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a pre-printed pharmacy-controlled medication record if the form includes all information required on the Controlled Medication Inventory Record (HS 008) that is incorporated by reference into 63M-2, F.A.C.

(3)(c) Reporting criteria and methods of managing and investigating inventory discrepancies, including unexplained losses of controlled substances. Facilities shall notify the appropriate department branch regional staff of the unexplained loss. The DHA or Physician Designee, and Superintendent or Program Director shall be notified immediately for any discrepancies with the daily controlled substance inventory count.

(2) ~~Each dosage of a controlled substance administered to a youth, shall be documented on the youth's Controlled Medication Inventory Record (HS 008). The shift to shift inventory count of each controlled substance shall also be documented on the youth's Controlled Medication Inventory Record (HS 008). The completed Controlled Medication Inventory Record (HS 008) shall be filed in the youth's Individual Health Care Record. The Controlled Medication Inventory Record (HS 008, April 2010) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03821> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. The facility may utilize a pre-printed pharmacy controlled medication record as long as the form includes all information required on the Controlled Medication Inventory Record that is incorporated by reference into Chapter 63M-2, F.A.C.~~

(3) ~~The DHA or Physician Designee, and Superintendent or Program Director shall be notified immediately for any discrepancies with the daily controlled substance inventory count.~~

(4) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended—.

63M-2.030 Routine Medication Administration.

(1) No change.

(2) Medication delivery, including the security and control of the medications shall be the sole responsibility of the licensed nursing staff during the administration of the medications and shall be delivered in a secure environment for the protection of the nurse or staff providing the medications.

(3) A prescription medication shall not be removed from its original prescription package ~~packaging or prescription container~~ and placed in another container for ~~subsequent administration~~ until the time of medication administration for each youth.

(4) The same staff member shall prepare and administer/deliver the medications.

(5) No change.

(6) Documentation of each individual dosage of medication administered to youth shall be maintained on the youth's Medication Administration Record (MAR) ~~(HS Form 019)~~. The Medication Administration Record (HS 019, October 2006) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03822> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399~~. The facility may utilize their Pharmacy vendor pre-printed Medication Administration Record if as long as the form includes all information required on the Medication Administration Record that is incorporated by reference into Chapter 63M-2, F.A.C.

(7) through (13) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.031 Youth Self-Administration of Oral Medication Assisted by Trained Non-Licensed Staff.

(1) through (4) No Change.

(5) The Registered Nurse that completed the training must supervise the trained staff member, at a minimum annually, by ~~periodically~~ performing direct observation of skills, inspecting the Medication Administration Record(s) and the required documentation assigned to the staff member. In the event, the Registered Nurse that completed the training is no longer employed by the facility, the staff member must be re-trained by another Registered Nurse that shall determine the staff member's competency and perform direct observation of skills and inspection of the MAR and required documentation, at a minimum, annually.

(6) through (7) No Change.

(8) Self-administration of medications by non-licensed staff shall include, at a minimum, the following:

(a) through (g) No Change.

(h) Confirm the allergy status of the youth ~~and question the youth about any possible side effects or adverse reactions to the medication.~~

(i) through (k) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.032 Youth Refusal of Medication.

(1) A youth's refusal to take a dosage of a prescribed medication shall be documented in the Individual Health Care Record Chronological Progress Note section, in addition to "R" for Refusal (as indicated on the MAR form).

(2) The ~~staff youth~~ shall initial the MAR indicating refusal of medication. The youth shall sign the Refusal of Treatment form (HS 027). If the youth refuses to sign, a witness shall sign, as indicated on the form. The Refusal of Treatment form (HS 027, April 2024) is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16926>. ~~If the youth will not initial the refusal notation, this shall be included in the Chronological Progress Notes.~~

(3) through (4) No Change.

~~(5) Each facility shall conduct a review of medication refusals that required DHA or prescribing physician notification. The review shall be conducted by the Designated Health Authority, or physician designee, PA or ARNP and when applicable, the prescribing psychiatric practitioner.~~
Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.033 Youth Hoarding of Medication and Swallowing Difficulties.

(1) No change.

(2) Licensed health care professional staff shall notify the DHA/Psychiatrist ~~DMHA~~ when a youth is found to be "cheeking" or not swallowing his or her medication(s).

(3) A practitioner's order or general authorization must be provided by the Designated Health Authority or physician designee ~~in order~~ for a youth's medications to be crushed and sprinkled or mixed with food.

(4) Licensed Health Care professional staff is responsible for notifying the Designated Health Authority or physician designee, PA or APRN ~~ARNP~~ of a youth with swallowing difficulties or developmental disabilities, to obtain an order for an alternate method of providing oral medications. The alternate method shall be noted on the MAR.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.034 Administration of Parenteral Medications.

(1) No change.

(2) A non-licensed staff person may administer a percutaneous injection of a pre-packaged medication to a youth to prevent or treat an allergic reaction. The staff member must be trained by a licensed medical professional with a licensure of RN or above in the use of this product ~~in order~~ to be permitted to administer the medication.

(3) ~~Approval from the facility Superintendent or Program Director and the Designated Health Authority or Physician Designee is required for any youth to self-administer his/her own parenteral medication(s).~~ Self-administration of parenteral medication by the youth shall only be under the supervision of the licensed health care professional trained staff member who has control of the vial of medication. The Designated Health Authority shall approve all procedures for self-administration under these circumstances with a practitioner order.
Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History–New 3-16-14, Amended_____.

63M-2.036 Adverse Drug Events and Medication Errors.

(1) through (2) No Change.

(3) Licensed health care professional staff shall monitor each youth daily, prior to administering medications, for potential medication side effects. ~~For instances where licensed health care professional staff are not on site and non-licensed staff members assist youth with medication administration, see paragraph 63M 2.031(8)(h), F.A.C.~~

(4) through (5) No Change.

(6) The Designated Health Authority or physician designee, and the facility superintendent or Program Director shall review the medication error reports at least every two weeks. These findings shall be reviewed and summarized during the quarterly Pharmacy and Therapeutics Committee CQI meetings as per Chapter Rule 64B16-27.300, F.A.C.

(7) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History–New 3-16-14, Amended_____.

63M-2.037 Education of Youth with Chronic Medical Conditions and Prescribed ~~on~~ Medications.

(1) All youth with a diagnosed chronic medical condition who are prescribed medications shall receive instructions and education related to those chronic medical conditions and prescribed medications.

(2) ~~Education~~ Medication education for a youth by an on-site licensed health care professional shall be recorded in the Individual Health Care Record.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History–New 3-16-14, Amended_____.

63M-2.040 Environmental and Exercise Precautions.

(1) through (2) No Change.

(3) The Designated Health Authority or physician designee, PA or APRN ARNP shall determine whether the facility’s full exercise regimen is appropriate for a youth with a chronic medical condition.

(4) No postpartum female shall participate in physical exercise until six (6) weeks postpartum with clearance by the youth’s facility OB/GYN or Nurse Midwife.

(5) through (6) No Change.

~~(7)(8)~~ The Designated Health Authority or Physician designee, PA or APRN ARNP shall inform the Superintendent or Program Director of youth who may be medically compromised by adverse environmental and exercise conditions.

(9) through (10) are redesignated (8) through (9) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History–New 3-16-14, Amended_____.

63M-2.050 Infection Control – Regulations and Training.

(1) through (6) No Change.

(7) All youth shall receive infection control training, to include the prevention of blood-borne pathogens, within seven days of admission into the Juvenile Detention/Residential system. The youth training shall be documented in the Individual Health Care Record.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History–New 3-16-14, Amended_____.

63M-2.052 HIV Counseling and Testing.

(1) No Change.

(2) The facility shall provide or facilitate ~~the~~ HIV counseling and testing according to Chapter 65D-2, F.A.C. and pursuant to section 381.004, F.S. If the facility cannot provide the counseling and testing, the facility shall collaborate with the local County Health Department or other community providers for these services.

~~(3) HIV counseling shall only be conducted by a certified HIV counselor.~~

~~(3)(4)~~ Pursuant to Chapter Sections 381.004(3) and 384.30, F.S., any test for the detection of HIV requires cannot be ordered without an informed consent from the individual being tested. The youth’s consent may be obtained and recorded on the Human Immunodeficiency (HIV) Antibody Virus Youth Consent ~~f~~Form (HS 015, May 2023 April 2010) which is incorporated into this rule and is available electronically at http://www.flrules.org/Gateway/reference.asp?No=Ref-1692103823 or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.

~~(5) The facility shall facilitate confirmation of positive HIV test results when indicated, and provide medical follow up.~~

(6) through (7) redesignated (4) through (5) No Change.

~~(6) Requested HIV testing shall be completed within 30 days of the request or by the next available testing, whichever comes first for all youth with identified risk factors.~~

~~(8) All pregnant youth shall be provided an HIV test unless, after counseling by the Physician, PA or ARNP as to the risks of transmission of HIV to the fetus, she refuses testing. When this occurs, she must sign a waiver (refusal) to decline the test. This shall be filed in the IHCR.~~

~~(7)(9) HIV results shall be sealed in an envelope marked "confidential" and filed/documentated in the Individual Health Care Record and uploaded where available, to the departments EMR/EHR indicating confidential information.~~

~~(8)(10) No change.~~
Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.061 Record Documentation, Development and Maintenance.

(1) through (2) No Change.

(3) A youth's official case file shall include all health care records along with the management file at the time of release/discharge or transfer pursuant to Chapter 63E-7, F.A.C.

(4) All handwritten documentation in the Individual Health Care Record shall be recorded legibly in blue or black ink. No correction fluid or erasure will be used in the IHCR. Corrections shall be made by crossing through with a single line and the deleted section initialed. The department's Electronic Medical Record shall be used where available. All hand-written records shall also be uploaded to the EMR/EHR where available.

(5) Health care documents shall be filed in reverse chronological order ~~a chronological organized manner~~. All chronological progress notes shall be in SOAP note format, or at a minimum, narrative format that includes all components of the SOAP note format. Incidental notes shall be used where there is no patient contact and in narrative format.

(6) through (9) No change.

(10) Each facility/center shall maintain an Individual Health Care Record for each youth.

(11) The IHCR shall be maintained intact with the original documentation except:

(a) When off-site ~~off-site~~ providers retain the original notes in their files;

~~(b) When Medicaid is billed for services and requires the original records for billing;~~

In these situations, original, clean, legible copies are acceptable and shall be retained in the record as if they were the originals. "COPY" shall be written or stamped on the document in an area that does not obscure any necessary information.

~~(b)(e)~~ No change.

(12) The entire IHCR shall be transported with the youth between department facilities, ~~and shall be documented on the~~

~~Custody of Health Care Record. The Custody of Health Care Record (HS 005, October 2006) is incorporated into this rule and _____ is _____ available _____ electronically _____ at http://www.flrules.org/Gateway/reference.asp?No=Ref_03824 or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399. Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.~~

63M-2.062 Core Health Profile.

The Core Health Profile shall include the following forms and be organized in the order in which the forms are listed below:

~~(1) Individual Health Care Record Checklist and Internal Quality Control (HS 017, October 2006), which is incorporated into this rule and is available electronically at http://www.flrules.org/Gateway/reference.asp?No=Ref_03825 or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399;~~

~~(1)(2) Personal and Health-Related Information (HS 023, January 2024 ~~October 2006~~), which is incorporated into this Rule and is available electronically at http://www.flrules.org/Gateway/reference.asp?No=Ref_1692403826 or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399;~~

(3) through (6) redesignated (2) through (5) No Change.

~~(6)(7) The Immunization Tracking Record (HS 016, October 2006), or the Immunization Record as per the Florida State Health Online Tracking System (Florida SHOTS) through the Department of Health Bureau of Immunization, as authorized by Chapter Section 381.003, F.S. The Immunization Tracking Record (HS 016, October 2006), is incorporated into this rule and is available electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03827> or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399;~~

~~(7)(8) Facility Entry Physical Health Screening (HS 010) for residential or the Medical and Mental Health Screening form for detention;~~

(9) through (12) redesignated (8) through (11) No Change.
Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.063 Interdisciplinary Health Record.

This section of the IHCR shall include the forms listed below and organized in this order:

(1) No change.

(2) Chronological Progress Notes includes but not limited to: all health encounters (sick call, episodic and emergency care, report of health care by non-health care staff,

chronological progress notes for nursing and practitioners as well as incidental notes in reverse chronological order);

(3) No change.

(4) Medication Administration Record(s) (MAR) (HS 019);

(5) through (9) No Change.

(10) Dental Care and consents for dental care.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.064 Storage, Security and Control of the Individual Health Care Record.

(1) through (2) No Change.

(3) The Designated Health Authority or physician designee, Facility Superintendent, or Program Director shall provide delegated access to Individual Health Care Records.

(4) through (9) No Change.

(10) Parents or legal guardians have the right to request and review copies of the Individual Health Care Records for their child, utilizing the process for Public Records requests, with the following exceptions:

(a) through (b) No Change.

(c) If there is any question, the office or area receiving the request shall refer the issue to the General Counsel’s Office.

~~If there is any question, the issue shall be referred to the Regional General Counsel’s Office.~~

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.070 Health Education.

(1) Health education programs shall pertain to health issues of adolescents. These topics shall include, at a minimum, the following, and shall be completed prior to or in conjunction with the HRH or review of the HRH:

(a) through (g) No Change.

(h) Review of immunizations;

(i) through (o) No Change.

(2) Documentation of health education shall be made on the Health Education Record (HS 013) or the Chronological Progress Notes. The Health Education Record (HS 013, October 2023 ~~2006~~) is incorporated into this rule and is available electronically at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-1691903828> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.081 Youth Release to the Community from a Residential Commitment Program.

(1) The assigned JPO, facility nursing staff, and the facility case manager shall work together to ensure that all medical information requiring parental follow-up is communicated to the responsible parent/guardian/assigned custodian prior to the youth’s exit from the facility.

(2) The youth’s Juvenile Probation Officer, parent/guardian/assigned custodian, the facility case manager and conditional release provider as applicable shall be notified regarding pending or unresolved health care issues upon the youth’s release to the community.

(3) For youth who will not be in the physical custody of the department, the parent or guardian/assigned custodian is responsible for arranging the youth’s health care services upon release.

(4) No Change.

(5) A Parental Notification of Health-Related Care form (HS 020) shall be sent in advance to the parent or guardian/assigned custodian by the facility with any information on upcoming appointments.

(6) Fourteen (14) days prior to discharge, the residential commitment program shall again review the need for any upcoming appointments and notify the parent or guardian/assigned custodian.

(7) Final medical follow-up information shall be provided to the parent or guardian/assigned custodian on the Health Discharge Summary Transfer Note (HS 012, March 2024 ~~October 2006~~) when the youth is released. The Health Discharge Summary Transfer Note (HS 012, March 2024 ~~October 2006~~) is incorporated into this rule and is available electronically at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-1691803829> ~~or may be obtained by contacting: DJJ, Office of Health Services, 2737 Centerview Drive, Tallahassee, FL 32399.~~

(8) through (10) No Change.

(11) The youth’s medication shall be provided to the youth’s parent or guardian/assigned custodian ~~youth and parents or guardians~~ at the time of release from the program. The medication must be in an individually labeled, youth-specific, prescription container generated by a pharmacy vendor.

(12) Prescription medications shall not be released solely to the youth unless the youth is at least 18 years of age or legally emancipated.

(13) Verification of the parents or guardian/assigned custodian’s acceptance of the youth’s medication shall be documented in the Individual Health Care Record utilizing the Medication Receipt, Transfer, and Disposition (Discharge) form (HS 053).

(14) The youth’s parent or guardian/assigned custodian shall be provided with a 30-day ~~paper~~ prescription from the

facility ~~DHA/designee, PA, or Psychiatrist/designee ARNP~~ for any medication(s) non-narcotic medications that a youth will continue after release.

(15) through (16) No Change.

(17) A summary of health-related needs shall be included in the residential program's exit conference for the youth.

(18) through (19) No Change.

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.082 Transfer from a Detention Center or Residential Commitment Program.

(1) No change.

(2) Upon transfer to another detention center or residential commitment program or facility, the youth shall be informed of current health care needs and required medical follow-up.

(3) Duplication of screenings, risk assessments, and laboratory tests at the receiving detention or residential commitment facility, or program shall be avoided unless clinically indicated, with the exception of the Medical and Mental Health Admission Screening in detention or the Facility Entry Physical Health Screening (HS 010) in the residential commitment program.

(4) Youth transferred between detention centers or to a residential program shall have the following documents accompany them on the transport: All medications and MAR's shall be transferred with youth to the subsequent residential commitment program.

(a) Entire paper version of the Individual Health Care Record

(b) Youth Transport Card (HS 055)

(c) Prescribed medication(s)

(d) If medications are prescribed, the Medication Receipt, Transfer, & Disposition (Discharge) form (HS 053)

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New 3-16-14, Amended _____.

63M-2.083 Youth Released to the Community from Secure Detention.

(1) The assigned JPO and detention center nursing staff shall work together to ensure that all medical information requiring parental follow-up is communicated to the responsible parent/legal guardian/assigned custodian prior to the youth's release from the facility.

(2) Statutorily protected health-related information shall not be provided to parents unless the youth has given permission.

(3) Medical conditions reportable as per state regulations require instructions to the youth and parent for medical follow-up with the local county health department.

(4) Efforts to make medical appointments with community providers shall be documented in the Individual Health Care Record and communicated to the parent/legal guardian/assigned custodian.

(5) The youth's parent or guardian/assigned custodian shall be provided with the remainder of any home medications brought into the detention center on admission that a youth will continue after release. If new medications have been prescribed during the youth's stay in detention or previously prescribed medication doses have been changed, provider medical staff will ensure that the youth's medication is released to the parent/legal guardian/assigned custodian or arrangements are made to provide a prescription for those medications upon release. The youth's parent or guardian/assigned custodian shall be provided with a 30-day prescription from the facility DHA/designee or Psychiatrist/designee for any medication(s) that a youth will continue after release. Medication obtained from a pharmacy vendor during the youth's admission to secure detention must be in an individually labeled, youth-specific, prescription container.

(6) Final medical follow-up information shall be provided to the parent or legal guardian/assigned custodian on the Health Discharge Summary Transfer Note (HS 012) when the youth is released. Verification of the parents or guardian/assigned custodian's acceptance of the youth's medication shall be documented in the Individual Health Care Record utilizing the Medication Receipt, Transfer, and Disposition (Discharge) form (HS 053).

Rulemaking Authority 985.64(2) FS. Law Implemented 985.64(2), 985.145, 985.18 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michelle Hall, Director of Nursing Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Eric Hall, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 13, 2024

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.002 RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes a new rule to clarify the language and application for licensure by endorsement.

SUMMARY: The proposed new rule clarifies the language and application for licensure by endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 456.0145(5), 456.025(3) FS.

LAW IMPLEMENTED: 456.0145(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashleigh Irving, Executive Director, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.002 – Licensure by Endorsement.

An applicant for licensure by endorsement pursuant to section 456.0145(2), F.S., shall submit form DH-MQA-5101 (eff. 9/24), Mobile Opportunity by Interstate Licensure Endorsement (MOBILE), which is incorporated herein by reference and which may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> , or

the Board of Orthotists and Prosthetists, Department of Health, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258 or at <http://floridasorthotistsprosthetists.gov/resources/>. Applicants for licensure shall meet and comply with all requirements in Section 456.0145(2), F.S.

Rulemaking Authority 456.0145(5), 456.025(3) FS. Law Implemented 456.0145(5) FS. History –New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Orthotists & Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists & Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NOS.:	RULE TITLES:
75-2.001	General Definitions
75-2.004	Wagering Prohibitions
75-2.006	Electrical or Mechanical Device Prohibition
75-2.010	Photofinish Camera and Video Tape Requirement
75-2.011	Post Position Drawing Requirement
75-2.012	Racing Animal Identification
75-2.020	Pari-Mutuel Wagering Racing and Game Officials
75-2.023	Animal Welfare
75-2.024	Track General Rules
75-2.025	Race General Rules

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends Commission rules in order to remove references to live greyhound racing in the State of Florida and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 550.0251(3), (5), 550.105(2)(b), 550.155(1), 550.1815(5), 550.2415(12), 550.2625(2)(d), 550.3551(10), 550.495(2)(a), (4) FS.

LAW IMPLEMENTED: 550.0251, (11), 550.054, 550.105, (2)(a)3, 550.155, 550.1815, 550.235, 550.2415, (6), (9), 550.2625, 550.3551, 550.3615, 550.495, 550.6305 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, Melba.Apellaniz@flgaming.gov or (850)794-8067.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-2.001 General Definitions.

(1) through (4) No change.

(5) “Contest” means a race or game between horses, ~~greyhounds~~, or players for purses, stakes, or reward on any licensed race course or fronton and conducted in the presence of judges or stewards.

(6) through (9) No change.

(10) “Permitholder” means any person, persons or entity holding a permit issued by the ~~commission division~~ for a pari-mutuel facility.

(11) No change.

(12) “Permitholder license” means an annual license issued by the ~~commission division~~ to conduct pari-mutuel operations at a location specified in the permit for a specific type of pari-mutuel event specified in the permit.

(13) through (17) No change.

(18) “State office” means the ~~commission division~~ office located at each pari-mutuel facility.

(19) No change.

(20) “Vendor” means any business or person providing goods or services to a contractual concessionaire, pari-mutuel licensee, or pari-mutuel permitholder when the goods or services provided require the vendor’s employees to be on the stable backside ~~or kennel compound~~ and come into contact with players, racing animals, or provide direct services for the support of players or racing animals at any time during any time a pari-mutuel facility is open for pari-mutuel wagering. Vendors do not include medical professionals, blacksmiths or platers.

(21) No change.

Rulemaking Authority 550.0251(3), (5), ~~(8)(b)~~, 550.105(2)(b), 550.155(1), 550.1815(5), 550.2415(12)(13), 550.2625(2)(d), 550.3551(10), 550.3615(5), 550.495(2)(a), (4), ~~550.6305(5)~~ FS. Law Implemented 550.0251, 550.054, 550.105, 550.155, 550.1815,

550.2415, 550.2625, 550.3551, 550.3615, 550.495, 550.6305 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, Formerly 61D-2.001, Amended.

75-2.004 Wagering Prohibitions.

(1) No jai alai player or game official, racing official, assistant to a game or racing official, or totalisator employee, ~~or greyhound leadout~~ shall wager on or receive the benefits from a wager of any live race or game conducted at a track or fronton at which he/she works or officiates.

(2) No jockey, jockey’s room attendant, valet, or harness driver shall wager on or receive the benefits of a wager on a race unless the owner or trainer, on behalf of the jockey or driver, makes the wager only to win or to finish first in combination with other horses. Jockeys and drivers must maintain for one year records of wagers made by the owners or trainers on their behalf and must make the records available to the stewards or to the ~~commission division~~ upon request.

(3) Horse ~~or greyhound~~ trainers shall be allowed to wager on a race in which they have entered a horse ~~or greyhound~~ subject to the following restrictions. All such wagers shall include the trainer’s horse ~~or greyhound~~: Win; Place, in the same or lesser dollar amount as win; Show, in the same or lesser dollar amount as win and place; Quinella; Perfecta, with trainer’s horse ~~or greyhound~~ on bottom in the same or lesser dollar amount as on top; Trifecta with the trainer’s horse ~~or greyhound~~ on top; Trifecta Box; Daily Double; Daily 3 and pick (N).

Rulemaking Authority 550.0251(3); ~~550.105(2)(b)~~ FS. Law Implemented 550.0251, ~~550.105~~, 550.235, 550.3615 FS. History—New 10-20-96, Amended 4-12-06, Formerly 61D-2.004, Amended.

75-2.006 Electrical or Mechanical Device Prohibition.

No person having access to the grounds of a pari-mutuel racing permitholder where racing animals are lodged or kept shall have in his/her possession while on the grounds of a pari-mutuel racing permitholder, any electrical or mechanical device designed or used to increase or decrease the speed of a horse ~~or greyhound~~ (or that which tends to do so). This rule does not exclude the use of the ordinary whip in horse racing.

Rulemaking Authority 550.0251(3); ~~550.105(2)(b)~~ FS. Law Implemented 550.0251, ~~550.105~~, 550.235 FS. History—New 10-20-96, Amended 4-12-06, Formerly 61D-2.006, Amended.

75-2.010 Photofinish Camera and Video Tape Requirement.

(1) Each permitholder conducting horse racing or; harness racing, ~~or greyhound racing~~ shall have a photofinish camera or digital image as an aid to the stewards ~~judges~~. The photograph or digital image of each finish in which the stewards ~~judges~~ call for a photograph shall be posted or televised on closed circuit television throughout the facility for viewing by the public as

promptly as possible after the race and for a reasonable period thereafter of not less than ten minutes.

(2) through (5) No change.

Rulemaking Authority 550.0251(3) FS. Law Implemented 550.0251, 550.155, 550.2625 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, Formerly 61D-2.010, Amended _____.

75-2.011 Post Position Drawing Requirement.

Each permitholder conducting ~~greyhound racing~~, thoroughbred racing or harness racing, shall ensure that the entries and post positions for each race are drawn by lot, and that the time and place for the drawing are posted in a conspicuous location where such notice can be observed by an occupational licensee at least eight hours prior to the drawing. The eight-hour notice requirement will be waived by the ~~commission division~~ upon notice to the state steward ~~or judge~~ that a specific race has not been filled and that more time is needed before a drawing can occur. Any drawing conducted on a dark day must comply with the eight-hour notice requirement; however, the eight-hour notice requirement will be waived by the ~~commission division~~ on a dark day drawing where a specific race has not been filled and more time is needed before a drawing can occur. The ~~commission division~~ may file an administrative complaint against the permitholder or its agent for failure to notify the state steward ~~or judge~~ of a delay in the draw. However, the action must be requested by the state steward ~~or judge~~ and result from an inability of an occupational licensee to witness the draw due to improper notice. All post position drawings shall be open to any occupational licensee who chooses to witness the draw.

Rulemaking Authority 550.0251(3) FS. Law Implemented 550.0251 FS. History—New 6-12-97, Amended 5-31-06, Formerly 61D-2.011, Amended _____.

75-2.012 Racing Animal Identification.

The paddock judge/horse identifier in horse racing and harness racing, ~~and the paddock judge in greyhound racing~~ shall be responsible for confirming the identity of each racing animal by reading the tattoo and verifying the markings on the animal. Each shall be responsible for ensuring the racing animal is properly blanketed and placed in the appropriate starting gate ~~or starting box~~. No racing animal shall be permitted to be entered or started unless tattooed and a registration certificate is on file with the racing secretary.

Rulemaking Authority 550.0251(3), ~~550.105(2)(b)~~ FS. Law Implemented 550.0251, 550.235 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, Formerly 61D-2.012, Amended _____.

75-2.020 Pari-Mutuel Wagering Racing and Game Officials.

(1) Each licensed pari-mutuel wagering permitholder shall designate persons, if required by the permitholder, for horse

racing, harness racing, ~~greyhound racing~~, or jai alai games, depending upon the type of permit held, for the following functions as racing or game officials:

(a) and (b) No change.

~~(c) Greyhound Racing: authorized judges, racing secretary, paddock judge, patrol judge, clerk of scales, kennel master, greyhound leadout, lure operator, starter, veterinarian, and chief of security.~~

(d) renumbered as (c) No change.

(2) If a permitholder prescribes rules and duties for their appointed racing and game officials such rules shall not conflict with Chapter 550, F.S., and the rules adopted thereto. A permitholder shall file a copy of any house rules with the ~~commission division~~ together with any amendments to such house rules when adopted.

(3) No change.

~~(4) In addition to the duties prescribed by the permitholder's house rules, in greyhound racing the Kennel Master shall:~~

~~(a) Inspect the lock out kennels to ensure that the kennels are in good repair and that nothing has been deposited in any of the crates that could be consumed by the greyhounds. He shall ensure that the crates have been cleaned, sprayed, and disinfected and are in sanitary condition.~~

~~(b) Receive the greyhounds immediately after they are weighed and ensure that they are placed in the proper crate by race and post position. No persons other than the kennel master, paddock judge, veterinarian, clerk of scales, lead outs, judges or division representatives shall be allowed in the lock out kennel once loading starts.~~

~~(c) Remain on duty at the lock out kennel to ensure security of the kennel from the time the first greyhounds are received until the greyhounds are removed for the last race. Only authorized persons shall be allowed in the lock out kennel and at no time shall the kennel master allow any less than two authorized persons to be present in the lock out kennel after the greyhounds are loaded. Lead-outs entering the lock-out area must be under the direct supervision of or accompanied by a racing or division official.~~

~~(5) In addition to the duties prescribed by the permitholder's house rules, in greyhound racing the patrol judge shall ensure that following a race, racing blankets are not removed from the greyhounds until the greyhounds are accepted by their respective kennel owner/operator, trainer, or authorized representative.~~

(6) renumbered as (4) No change.

~~(5)(7)~~ No jai alai judge shall be under contract as an active player in a fronton in which that judge officiates. In event of an emergency, a temporary judge shall be chosen by fronton management from the roster of active players and such appointment shall be reported to the ~~commission division~~ judge.

Rulemaking Authority 550.0251(3), ~~(11)~~, ~~550.105(2)(c)~~, ~~(4)(b)~~, ~~(9)~~, ~~550.2415(12)(13)~~, ~~550.2625(2)(d)~~ FS. Law Implemented 550.0251, ~~550.09514~~, ~~550.105~~, 550.235, 550.2415, 550.2625 FS. History—New 10-20-96, Amended 12-15-97, Formerly 61D-2.020, Amended.

75-2.023 Animal Welfare.

(1) A permitholder shall ensure that:

(a) All stables ~~and~~; barns, ~~or kennels~~ are inspected by the local fire marshal at least every 24 months for compliance with local fire safety code and that documentation of compliance is maintained;

(b) All stables ~~and~~; barns, ~~or kennels~~ are equipped with smoke and/or temperature alarms and at least one fire extinguisher that has a current annual inspection tag that bears the date of the last inspection;

(c) Lighting in the stables ~~and~~; barns, ~~or kennels~~ is kept in working order at all times;

(d) and (e) No change.

(f) All occupied stables ~~and~~; barns, ~~or kennels~~ are free from insects and rodents by establishing a maintenance program for the prevention of insects and rodents;

(g) and (h) No change.

(i) The racing secretary, judge, or a permitholder's representative completes a weekly documented walk-through of each occupied barn ~~and~~; stable, ~~or kennel~~.

(2) A greyhound racing permitholder shall ensure that:

(a) A shaded area is provided for parking at the facility for greyhound transport trucks that are used to bring racing greyhounds to and from the track for racing;

(b) A cool down pool and/or water hose to cool down greyhounds is provided post race and during official and unofficial schooling events;

(c) Sprint paths:

1. Are surrounded by a chain link fence at least four feet in height;

2. Are free of broken or protruding wires or obstructions;

3. Have a smooth surface which is made of dirt or sand or a mixture of the two; and

4. Have drainage sufficient to prevent standing water.

(d) Turnout pens:

1. Are free of broken or protruding wires or obstructions;

2. Have gates that connect to the other pens;

3. Have at least a 10 foot overhang from the building;

4. Are surrounded by a fence at least six feet high;

5. Have working water spigots;

6. Have drainage sufficient to prevent standing water; and

7. Have sand of an average depth of four inches.

(e) Kennel crates:

1. Are a minimum of two feet wide, three feet long and 32 inches high; and

2. Are maintained so that they are free of broken or protruding wires or rust, and constructed of metal and are movable to protect the greyhounds from injury; and

3. Have a latch.

(3) A greyhound racing trainer shall ensure that:

(a) They or a designee are available for kennel inspections daily from 7:00 a.m. to 9:00 a.m. or 2:00 p.m. to 4:00 p.m. by division personnel;

(b) Food supplies and bedding materials are stored in such a manner that they are protected from contamination, spoilage, or infestation;

(c) Bowls, dishes, and other containers used for feeding and watering are cleaned and disinfected daily;

(d) Muzzles worn by racing greyhounds are made of plastic or padded wire and are not worn, broken, or rusted;

(e) All turnout pens and sprint paths are free of debris and trash, and maintained in a sanitary environment prior to use by greyhounds;

(f) No more than one greyhound shall be contained in each crate within the kennel;

(g) Crates are sanitized at least once daily, or more frequently as necessary, in order to maintain a sanitary environment;

(h) Greyhounds are provided with clean, fresh water in the exercise areas, kennels, and turn-out pens; and

(i) Kennel crates with broken or protruding wires or rust are reported to the permitholder upon discovery;

(j) A roster is maintained to identify each racing greyhound housed in the kennel. The roster shall contain the following information:

1. Initial date of arrival;

2. Name and tattoo number of the racing greyhound;

3. Owner's name;

4. Trainer's name;

5. Kennel name;

6. Date of departure from the kennel; and

7. Name and license number of person transporting the racing greyhound.

(k) The division is notified within 18 hours of the death of any racing greyhound that occurred on the grounds of a greyhound track or kennel compound. The notification shall contain at least the following information:

1. Track/facility where death occurred;

2. Incident date/time;

3. Greyhound registered name;

4. Tattoo numbers;

5. Reporting person's name and telephone number;

6. Kennel operator, address, and telephone number;

7. Trainer's name and telephone number;

8. Location of deceased animal.

(4) through (5) renumbered as (2) through (3) No change.

~~(6) The greyhound trainer of record shall be responsible for physically inspecting the greyhounds in their care for sores, cuts, abrasions, muzzle burns, fleas and ticks, and providing food on a daily basis.~~

~~(4)(7)~~ A horseracing trainer shall ensure that:

(a) and (b) No change.

(c) The commission division is notified within 18 hours of the death of any racehorse that occurred on the grounds of a horse track or training facility. The notification shall contain at least the following information:

1. through 8. No change.

(8) through (10) renumbered as (5) through (7) No change.

Rulemaking Authority 550.0251(3), 550.2415(12) FS. Law Implemented 550.0251(11), 550.105(2)(a)3., 550.2415(6), (9) FS. History—New 5-21-13, Formerly 61D-2.023, Amended.

75-2.024 Track General Rules.

(1) The permitholder shall notify the commission division in writing within three days after any changes to track dimensions or design.

(2) and (3) No change.

~~(4) All greyhound tracks shall have an inner rail and all harness tracks shall have an outer rail.~~

(5) and (6) No change.

Rulemaking Authority 550.0251(3) FS. Law Implemented 550.0251 FS. History—New 9-29-16, Formerly 61D-2.024, Amended.

75-2.025 Race General Rules.

(1) and (2) No change.

~~(3) Each greyhound race:~~

~~(a) Must be conducted on a track that is at least 17 feet in width; and,~~

~~(b) Must not be shorter than 990 feet in length.~~

(4) through (7) renumbered as (3) through (6) No change.

~~(7)(8)~~ Horse races must be recorded by at least three video cameras if the race includes turns or two video cameras if the race is on a straight track.

(a) and (b) No change.

(c) Copies of race recording must be provided to the commission division upon request.

Rulemaking Authority 550.0251(3) FS. Law Implemented 550.0251 FS. History—New 9-29-16, Formerly 61D-2.025, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Gaming Control Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NOS.:	RULE TITLES:
75-3.001	Procedures for Stewards' Hearings
75-3.002	Appeal Procedures
75-3.003	Stay of Steward/Judges' Penalty
75-3.004	Payment of Fines

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida, update the agency's physical and website address, and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to remove references to live greyhound racing in the State of Florida and updates the agency's physical and website address, and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 120.80(19), 550.0251(3), 550.2415(12) FS.

LAW IMPLEMENTED: 120.80(19), 550.0251, 550.054, 550.1155, 550.2415 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, at Melba.Apellaniz@flgaming.gov or (850)794-8067.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-3.001 Procedures for Stewards' Hearings.

(1) No change.

(2) Alleged violations of Chapter 550, F.S., or Chapter 75, F.A.C., in horseracing shall be heard by a board of stewards. Each horseracing permitholder shall establish a board of three stewards, at least one of whom shall be the state/commission division steward selected and hired by the commission division.

~~(3)~~ Alleged violations of Chapter 550, F.S., or Division 75, F.A.C., in greyhound racing shall be heard by the division judge.

~~(3)(4)~~ All hearings on alleged violations set forth in Section 120.80~~(19)(4)(a)~~, F.S., which are to be heard by the stewards ~~or division judge~~ must be conducted pursuant to the following procedures set forth in subsections ~~(5)-(21)(6)-(20)~~, below, when the purpose of the hearing is to impose a fine or suspend a license. For purposes of review of a decision of the ~~division judge or stewards~~, the commission division is hereby designated a proper party.

~~(4)(5)~~ All proceedings involving violations other than those described in Section 120.80~~(19)(4)(a)~~, F.S., which are to be heard by the stewards ~~or division judge~~ shall be conducted in accordance with the applicable provisions of Chapter 120, F.S.

~~(5)(6)~~ Initiation of Proceedings.

(a) Proceedings before stewards ~~and the division judge~~ shall be made by written document entitled "Notice of Violation and Hearing."

(b) No change.

~~(6)(7)~~ Prior to a hearing for an alleged medication or drug violation, where redistribution of the purse may be involved, the stewards ~~or division judge~~ shall give at least five business days notice to each owner who may be adversely affected by the purse redistribution of the date, time, and location of the hearing.

~~(7)(8)~~ Documents. Upon request to the stewards ~~or division judge~~, any respondent shall be entitled to obtain copies of all audio and video recordings, witness statements, and laboratory analyses. A respondent requesting production shall pay the actual cost of production of such material. A respondent shall also be entitled to the names and addresses of all witnesses and investigators with information relevant to the matter(s) to be heard by the stewards ~~or division judge~~.

~~(8)(9)~~ Subpoenas.

(a) Subpoenas to compel the attendance of witnesses at hearing shall be issued by the commission division upon the request of a party ~~or the stewards or division judge~~. All requests for the issuance of subpoenas shall be directed to the stewards ~~and division judge~~ and such requests shall be forwarded to the commission division for issuance. The respondent requesting the subpoena shall arrange for their own service and pay all costs for the service of each subpoena.

(b) No change.

~~(9)(10)~~ Witnesses. All witnesses shall be sworn and subject to examination and cross-examination.

~~(10)(11)~~ Conduct of Hearing/Evidence.

(a) Oral testimony shall be taken only on oath or affirmation. Stewards ~~and the division judge~~ shall administer oaths and examine witnesses.

(b) and (c) No change.

~~(11)(12)~~ Recordation. The stewards ~~and division judge~~ shall assure that a record of the proceedings is preserved. Proceedings shall be recorded on whatever media is available. Any respondent to a hearing may, at his/her own expense, provide a certified court reporter. Any respondent who wishes to make a written transcript of the recorded testimony shall request a copy of the recorded testimony and transcribe the same at his/her own expense.

~~(12)(13)~~ Representation. A respondent in any proceeding conducted before stewards ~~and the division judge~~ may be represented by an attorney admitted to practice law in Florida or by any qualified representative as defined in Rule 28-106.106, F.A.C., who agrees to comply with the requirements of Rule 28-106.107, F.A.C. After written notice of appearance that a respondent is being represented by an attorney or qualified representative, all communications to a respondent concerning the case shall be made to the respondent's attorney or representative, and the respondent's attorney or representative shall be entitled to exercise the rights granted to the respondent under these rules.

~~(13)(14)~~ Service of Notices of Violation and Hearing.

(a) The stewards ~~and division judge~~ shall set the time and place for all hearings and written notice thereof shall be served on all respondents, counsel, or other qualified representatives by personal service, when possible, otherwise in accordance with Section 120.60, F.S. At least five days notice shall be given for the hearing, unless otherwise agreed by the respondent.

(b) Any respondent who is served with a Notice of Violation and Hearing and does not appear at a hearing before the stewards ~~or division judge~~, either in person or through representation, waives the right to the hearing.

~~(14)(15)~~ Service of Papers. Unless the stewards ~~or division judge~~ otherwise order, every paper filed in a proceeding, except Notices of Violation and Hearing (as provided for in subsection (14), above) and requests for witness subpoenas, shall be served on each respondent. Service shall be made upon the respondent or respondent's representative by hand delivering a copy or in accordance with Rule 28-106.110, F.A.C.

~~(15)(16)~~ Continuances. The stewards ~~or division judge~~ shall grant a continuance of a hearing for good cause shown. In deciding whether good cause is shown, the ~~division judge and stewards~~ must consider whether the reason given by the licensee for requesting a continuance is an event out of the licensee's control, such as the death of an immediate family member. Requests for continuance shall be made in writing.

~~(16)(17)~~ Computation of Time. In computing any period of time prescribed or allowed by these rules or by any applicable statute, the day of the act from which the designated period of time begins to run shall not be included. Five days shall be added to prescribed time limits when service is made by mail.

~~(17)~~(18) Disqualification. Unless good cause is shown, all motions for disqualification of stewards ~~or the division judge~~ shall be made to the commission division in writing at least five days prior to the date scheduled for hearing. In deciding whether good cause is shown, the commission division must consider whether the reason given by the licensee for not meeting the five-day limitation is an event out of the licensee's control, such as the death of an immediate family member.

~~(18)~~(19) Orders.

(a) In the event the stewards ~~or division judge~~ determine a statute or rule has been violated and a penalty of a license suspension of 60 days or less, or a fine not to exceed \$1,000 is sufficient to address the violation, the stewards ~~or division judge~~ shall enter an order within 14 days after the hearing. The order shall include a caption, time and place of the hearing, findings of fact, statement of rules or statutes violated, and a ruling stating the length of any suspension and the amount of the fine imposed for each violation.

(b) In the event the stewards ~~or division judge~~ determine a statute or rule has been violated and a penalty of a license suspension of greater than 60 days, or a fine of greater than \$1,000 should be imposed for the violation, the stewards ~~or division judge~~ shall forward a recommendation to the commission division stating their findings of fact, statement of statutes or rules violated, and recommended penalty within 14 days after the hearing. The recommendation shall be served to each party at the time it is forwarded to the commission division. A party shall have 14 days from the date the recommendation is issued in which to file a response with the commission division prior to the entry of a final order.

(20) renumbered (19) No change.

~~(20)~~(21) No person other than a party in a noticed proceeding shall attempt to influence the decision of the stewards ~~or division judge~~ regarding any case pending before them under this rule. This rule shall not prohibit the stewards ~~or division judge~~ from consulting with counsel regarding a matter pending before them.

~~(21)~~(22) A steward ~~or judge~~ employed by the commission division shall not sit in judgment of a matter pending before the permitholders' stewards ~~or judges~~ that is based solely upon any rule of the permitholder.

Rulemaking Authority 120.80(19)(4)(a), 550.0251(3), 550.2415(12) FS. Law Implemented 120.80(19)(4)(a), 550.0251, 550.1155 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 6-26-11, Formerly 61D-3.001, Amended _____.

75-3.002 Appeal Procedures.

(1) The stewards ~~and division judge~~ shall include in their decision a notice to the licensee of the licensee's right to an appeal hearing before the commission division director or his/her designee. In addition, the stewards ~~and division judge~~ shall provide the licensee with the procedures and time limits

for invoking the right to an appeal. All requests for an appeal must be submitted in writing or on Form FGCC PMW-3100, Request for Appeal of Stewards' ~~Judges'~~ Ruling, effective 3-4-07, adopted herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00306>, and can be obtained at www.flgaming.gov ~~www.fgee.fl.gov~~ or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 ~~2604 Blair Stone Road, Tallahassee, Florida 32399~~. The appeal shall state in writing the reason the licensee believes the judge's or stewards' order should be reversed.

(2) Failure of the licensee to file a request for an appeal hearing within 10 days of the decision of the stewards ~~or division judge~~ constitutes a waiver of the right to an appeal.

(3) Upon receipt of an appeal, the commission division shall review the appeal and the record to determine whether a legitimate issue of law has been presented that would require an appeal hearing to be scheduled. The commission division shall not substitute its judgment for the judgment of the stewards ~~or division judge~~ as to a finding of fact or the weight and credibility of evidence in the record. The commission division shall issue an order affirming the stewards ~~or division judge~~ if an appeal that merely disputes findings of fact based upon evidence is received by the stewards ~~or division judge~~. Appeal hearings shall be conducted in person, by telephone, or by other electronic means.

(4) In the event the stewards ~~or division judge~~ make a determination that there is a reasonable suspicion to believe that a violation of Section 550.2415, F.S., has occurred, or in the event of a positive test for a substance prohibited under Section 550.2415, F.S., any purse money in question which has not been disbursed shall be placed on account with the permitholder's comptroller. In the event that any purse money has been distributed, all individuals to whom the purse money has been directly distributed shall place monies equal to the amount received from the purse in a segregated interest bearing account in a recognized financial institution, and shall notify the commission division of the location of the account. The monies shall remain in the account until final disposition of the case, at which time control of the monies shall be returned to the original individuals; or if a violation is proved, the monies shall be transmitted to the permitholder for redistribution.

(5) If the commission division determines that the ~~division judge or stewards~~ have exceeded their jurisdiction, departed from the essential requirements of law, or incorrectly applied law to facts, it shall void their decision and either enter a decision for the licensee or shall prosecute the alleged violation itself with the respondent receiving rights to an administrative hearing pursuant to Section 120.57, F.S.

(6) No appeal shall be filed solely for the purpose of delaying imposition of a penalty through a stay pending appeal

pursuant to Rule 75-3.003, F.A.C. If it becomes apparent that an appeal was sought solely to obtain a stay and delay the imposition of a penalty, the commission division shall issue an order dismissing the appeal and referring the case to the stewards ~~or division judge~~ to determine whether additional penalties should be imposed.

(7) Upon conclusion of the appeal hearing, the commission division director shall affirm or reverse the decision of the stewards ~~division judge~~ with directions for an appropriate disposition of the case under the pari-mutuel statutes or rules. Rulemaking Authority 120.80(19)(4)(a), 550.0251(3), 550.2415(12) FS. Law Implemented 120.80(19)(4)(a), 550.0251, 550.054, 550.1155 FS. History—New 10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Formerly 61D-3.002, Amended.

75-3.003 Stay of Stewards’/Judges’ Penalty.

(1) A request for an appeal hearing following a stewards’/judge’s ruling shall not automatically stay the decision of the stewards/judge regarding the penalty imposed. Any request for a stay of the penalty imposed shall specify the reasons supporting the issuance of a stay. The licensee’s request for a stay must be in writing or on Form FGCC PMW-3090, Request for Stay, effective 3-4-07, adopted herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00307>, and can be obtained at www.flgaming.gov www.fgcc.fl.gov or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 ~~2601 Blair Stone Road, Tallahassee, Florida 32399~~.

(2) Any party desiring a stay of stewards’/judge’s ruling shall first seek the stay from the stewards/judge, who shall grant the stay unless:

(a) The stewards ~~or division judge~~ enter a suspension of 60 days and refer the matter to the commission division with a recommendation for entry of an emergency suspension pursuant to Section 120.60(6), F.S., or an order of summary suspension pursuant to Section 550.2415(3)(c), F.S.; or

(b) The stewards ~~or division judge~~ find after a hearing with notice to the party seeking the stay that the stay is being sought solely for the purpose of delaying a penalty.

(3) The decision of the stewards/judge shall be in writing and shall be transmitted to the commission division and the parties within five days from the date the request for stay is received by the stewards/judge.

(4) If the stewards/judge deny the request for a stay or do not issue a written decision as required under subsection (3), the party is entitled to seek a stay from the commission division. After reviewing the decision of the stewards ~~or division judge~~, the request for stay, and the record, the commission division shall grant or deny the stay.

Rulemaking Authority 120.80(19)(4)(a), 550.0251(3) FS. Law Implemented 120.80(19)(4)(a), 550.0251, 550.1155 FS. History—New

10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Formerly 61D-3.003, Amended.

75-3.004 Payment of Fines.

All civil penalties imposed by the stewards ~~division judge~~ must be paid within 15 days of the ruling unless the ruling is appealed and a stay has been entered pursuant to Rule 75-3.003, F.A.C. The fine must be paid within 15 days of the resolution of the appeal.

Rulemaking Authority 120.80(19)(4)(a), 550.0251(3), 550.2415(12) FS. Law Implemented 120.80(19)(4)(a), 550.0251, 550.054, 550.1155, 550.2415 FS. History—New 10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Formerly 61D-3.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Gaming Control Commission

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Commissioners of the Florida Gaming Control Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NOS.: RULE TITLES:

75-5.002 Possession of a License

75-5.004 Temporary Occupational Licenses

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida, update the commission’s physical and website address, and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 550.0251(3), 550.105(2)(b), (6), (10)(a) FS.

LAW IMPLEMENTED: 550.0251, 550.105 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, at Melba.Apellaniz@flgaming.gov or (850)794-8067.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-5.002 Possession of a License.

(1) Unless exempted in subsection (2) of this rule, when on the grounds of a permitholder, licensees shall conspicuously wear their current Pari-Mutuel Wagering Occupational License issued by the commission division.

(2) When performing their pari-mutuel occupations, the following persons shall retain on the permitholder’s premises their current license:

- (a) through (d) No change.
- (e) Exercise persons; ~~and~~
- ~~(f) Leadouts.~~

Rulemaking Authority 550.0251(3), 550.105(2)(b), (6), (10)(a) FS. Law Implemented 550.0251, 550.105 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, Formerly 61D-5.002, Amended _____.

75-5.004 Temporary Occupational Licenses.

(1) The commission division shall issue a temporary occupational license within 30 days of receipt of the application submitted pursuant to Rule 75-5.001, F.A.C., when the following conditions are met:

- (a) through (c) No change.

(d) The commission division has not issued the applicant’s occupational license; and

(e) If the applicant has previously applied to the commission division for a license, the applicant’s most recent application prior to the current application for licensure did not lapse pursuant to Rule 75-5.001, F.A.C.

(2) A temporary license can be obtained by the horse owner’s licensed trainer, ~~or by the greyhound owner’s licensed kennel operator or trainer on behalf of a greyhound owner,~~ horse owner, or stable, or kennel. The commission division shall issue this temporary occupational license when the following conditions are met:

- (a) The applicant has submitted a completed Form FGCC PMW-3110, Animal Owner Temporary License Application, effective September 2020, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-12088>, and can be obtained at flgaming.gov ~~www.fgee.fl.gov~~ or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399

~~Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037;~~

- (b) No change.

(c) The ~~greyhound owner,~~ horse owner or, stable, ~~or kennel~~ for which the application is submitted is in good standing, not under suspension, has not had a license revoked, has not been denied a license, and has not been declared ineligible for licensure in Florida or any other racing or gaming jurisdiction;

(d) The ~~greyhound owner,~~ horse owner or, stable, ~~or kennel~~ has not been convicted of or had adjudication withheld on any disqualifying criminal offense listed in Section 550.105(5), F.S.;

(e) The ~~greyhound owner,~~ horse owner or, stable, ~~or kennel~~ for which the application is submitted has not been issued an occupational license by the commission division; and

(f) If the ~~greyhound owner,~~ horse owner or, stable, ~~or kennel~~ for which the application is submitted has previously applied to the commission division for a license, the applicant’s most recent application prior to the current application for licensure did not lapse pursuant to Rule 75-5.001, F.A.C.

(3) All temporary licenses issued by the commission division are subject to the same requirements of Chapter 550, F.S., and Chapter 75-5, F.A.C., as pari-mutuel occupational licenses.

(4) The granting of a temporary license is conditioned on the honesty of an applicant in his, her or its application. The commission Division shall revoke a temporary license if the applicant falsely swore to a material statement in the application relating to the applicant’s criminal history or suspension, unpaid fines, revocation or denial in Florida or another racing or gaming jurisdiction.

(5) A holder of a temporary individual pari-mutuel occupational license shall cease all activity requiring the possession of a pari-mutuel occupational license if the commission division denies the application for permanent licensure.

- (6) No change.

(7) All temporary licenses issued by the commission division shall be immediately surrendered if the commission division grants the applicant a permanent license.

Rulemaking Authority 550.0251(3), 550.105(2)(b), (6) FS. Law Implemented 550.0251, 550.105 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 9-11-11, 9-1-20, Formerly 61D-5.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Gaming Control Commission
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 17, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

FLORIDA GAMING CONTROL COMMISSION

RULE NO.:	RULE TITLE:
75-6.001	Purpose for Rules; Definitions Related to Drugs and Medications
75-6.002	General Duties and Responsibilities
75-6.004	Prohibited Devices, Medications, and Procedures; Exceptions
75-6.0052	Procedures for Collecting Samples from Greyhounds
75-6.006	Procedures Relating to Split Samples
75-6.009	Veterinarians
75-6.012	Racing Greyhound Drug and Substance Classification System and Penalty Schedule

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida, update the agency’s physical and website address, and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to remove references to live greyhound racing in the State of Florida and updates the agency’s physical and website address, and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 120.80(19), 550.0251(3), (11), 550.2415(5), (7), (12) FS.

LAW IMPLEMENTED: 120.80(19), 550.0251, 550.1155, 550.235, 550.2415 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, at Melba.Apellaniz@flgaming.gov or (850)794-8067.

75-6.001 Purpose for Rules; Definitions Related to Drugs and Medications.

(1) The purpose of these rules related to Medication, Drugs and Sampling is to protect the integrity of horse racing ~~and~~ jai alai games ~~and greyhound racing~~, to protect the welfare of the animal, and to safeguard the interest of the public and racing participants through the control of all medications, drugs, and substances foreign to or in excess of the natural physiology of the animal.

(2) In construing these rules, the following definitions shall apply:

(a) “Bleeders’ List” means a list of horses maintained by the ~~commission division~~ that exhibit exercise induced pulmonary hemorrhage.

(b) “Furosemide (Salix) List” means the ~~commission’s division’s~~ official list of racing horses approved for racing with furosemide in Florida.

(c) and (d) No change.

(e) “Veterinarian’s list” means a list maintained by the track veterinarian which contains the name of any racing horse ~~or racing greyhound~~ which the veterinarian considers unfit, unsound or not ready for racing.

(f) No change.

Rulemaking Authority 550.0251(3), 550.2415(12)(43) FS. Law Implemented 550.0251, 550.2415 FS. History—New 10-20-96, Amended 6-6-00, 4-12-06, Formerly 61D-6.001, Amended _____.

75-6.002 General Duties and Responsibilities.

(1) The trainer of record shall be responsible for and be the absolute insurer of the condition of the horses ~~or racing greyhounds~~, he/ she enters to race. Trainers, ~~kennel owners and operators~~ are presumed to know the rules of the ~~commission Division~~. The trainer of record shall be identified on Form FGCC PMW-3360, Personnel Roster, effective December 2015 and incorporated herein by reference, which can be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06327>, www.flgaming.gov ~~www.fgee.fl.gov~~, or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 ~~2601 Blair Stone Road, Tallahassee, Florida~~. The trainer of record shall provide to the chief inspector and racing secretary at any track where the trainer enters racing animals in pari-mutuel races Form FGCC PMW-3360, Personnel Roster at the beginning of each race meet and whenever any changes are made to the personnel under his/her employment.

(2) Each permitholder of a thoroughbred, harness, or quarter horse, ~~or greyhound~~ racing facility shall provide and maintain a detention enclosure in a location approved by the ~~commission division~~ for the purpose of securing urine, blood or

other samples from racing ~~greyhounds or~~ horses. The detention enclosure at horse tracks shall have a perimeter fence which will prevent access of unauthorized persons, contain a wash rack, an office for the commission ~~Division~~ veterinarian, and not less than six detention stalls with an adjacent walking ring. ~~The detention enclosure at greyhound tracks shall be located within a reasonable distance of the veterinary assistant detention office and shall have a chain link perimeter fence which will prevent access of unauthorized persons. The detention enclosure at greyhound tracks shall be large enough to allow three dogs to be walked simultaneously for the purpose of taking urine samples, be partially covered to allow sampling during inclement weather, and have sufficient lighting to allow sampling during hours of darkness.~~

(3) No change.

Rulemaking Authority ~~120.80(4)(a)~~, 550.0251(3), 550.2415(12)(2), (7) FS. Law Implemented ~~120.80(4)(a)~~, 550.0251, 550.2415 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 1-10-16, Formerly 61D-6.002, Amended _____.

75-6.004 Prohibited Devices, Medications, and Procedures; Exceptions.

(1) The administration, by whatever means, of any medication, except furosemide and prednisolone sodium succinate, to a racing animal within 24 hours prior to the officially scheduled time of a race in which that animal is scheduled to compete is strictly prohibited. The administration of furosemide or prednisolone sodium succinate, by whatever means, to a racing animal within 4 hours prior to the officially scheduled time of a race in which that animal is scheduled to compete is strictly prohibited. Any racing animal found by the stewards ~~or judges~~, through evidence a reasonable person would consider reliable, to have been administered, by whatever means, any medication other than furosemide and prednisolone sodium succinate within 24 hours prior to the officially scheduled time of a race in which that animal is scheduled to compete shall be scratched. Any racing animal found by the stewards ~~or judges~~, through evidence a reasonable person would consider reliable, to have been administered furosemide or prednisolone sodium succinate, by whatever means, within 4 hours prior to the officially scheduled time of a race in which that animal is scheduled to compete shall be scratched. Nothing in this rule shall be interpreted to prohibit the use of vitamins, minerals or naturally occurring substances so long as none exceeds the normal physiological concentration in a race day specimen.

(2)(a) No licensee within the grounds of a racing permitholder where racing animals are lodged or kept shall have in or upon the premises which that person occupies or has the right to occupy, or in that licensee's personal property or effects, the following:

1. through 3. No change.

4. Except as provided in paragraph (2)(b), any other device which could be used for the injection, infusion or other administration of a legend drug, proprietary drug or medicinal compound (natural or synthetic) into a horse ~~or racing greyhound~~.

(b) Exempted from the provisions of paragraph (2)(a), are:

1. The possession of a syringe, hypodermic needle, injectable vial for the administration of a medication for personal use if the stewards ~~or judges~~ of the permitted premises the person occupies are provided prior written notification of possession of such devices and medication and are provided a copy of a physician order documenting the need for such devices and medication; and,

2. No change.

3. The possession of any of the following devices which the commission ~~division~~ expressly designates as exempt from the prohibitions contained in paragraph (2)(a), above:

a. through d. No change.

(3) The rectal, oral, naso-gastric or gastric intubation (commonly known as "tubing") of any racing animal which is scheduled to race is prohibited on race day. Any animal found by the stewards ~~or judges~~ to have been intubated on race day shall be scratched.

Rulemaking Authority ~~120.80(19)(4)(a)~~, 550.0251(3), (11), 550.2415(7), (12)(13) FS. Law Implemented ~~120.80(19)(4)(a)~~, 550.0251, 550.235, 550.2415 FS. History—New 10-20-96, Amended 1-5-98, Formerly 61D-6.004, Amended _____.

75-6.0052 Procedures for Collecting Samples from Greyhounds.

Rulemaking Authority 550.0251(3), (11), 550.2415(12) FS. Law Implemented 550.0251, 550.2415 FS. History—New 3-10-19, Formerly 61D-6.0052, Repealed _____.

75-6.006 Procedures Relating to Split Samples.

The following procedures shall be followed when requesting a split sample analysis at an independent laboratory:

(1) A trainer of record or owner of a racehorse ~~or racing greyhound~~ who has received a report of positive result may request that split sample analysis be conducted on the corresponding portion of the specimen, or secondary ("B" portion), if applicable. The trainer of record or owner may request that the split sample be sent to an independent laboratory approved by the commission ~~Division~~ for split sample analysis. The request must be made in writing on Form FGCC PMW-3290, Split Sample Request, effective December 2015, and adopted herein by reference, which can be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06325>, www.flgaming.gov ~~www.fgcc.fl.gov~~, or by contacting the Florida Gaming Control Commission, 4070 Esplanade

Way, Suite 250, Tallahassee, Florida 32399 ~~2601 Blair Stone Road, Tallahassee, Florida 32399~~, and submitted by certified mail or hand delivery to the State Steward, commission ~~Division~~ Hearing Officer, or the commission's ~~Division's~~ Office of the General Counsel no later than ten (10) calendar days after receipt of the report of positive result.

(2) The party requesting the split sample shall select an independent laboratory from a list of laboratories approved by the commission ~~Division~~ to perform the split sample analysis. The party requesting a split sample analysis shall bear all costs of the analysis and provide the commission ~~Division~~ with proof of payment.

(3) Failure to request a split sample with an approved independent laboratory within ten (10) calendar days after receiving written notification of the report of positive result from the primary racing laboratory shall constitute a waiver of the right to a split sample. Failure to pay the independent laboratory in full for split sample analysis and provide proof of payment to the commission ~~Division~~ within ten (10) days of the request for split sample analysis shall constitute a waiver of the right to a split sample.

(4) Upon receipt of the split sample request, the commission ~~Division~~ shall notify the primary laboratory of the request, identifying the sample number on which the split sample analysis is to be performed, the independent laboratory which has been selected, and the primary laboratory's internal tracking number. The primary racing laboratory shall send the unopened split sample to the independent laboratory selected within ten (10) calendar days of receiving the request.

(5) No change.

Rulemaking Authority 120.80(19)(4)(a), 550.0251(3), (11), 550.2415(5), (12) FS. Law Implemented 120.80(19)(4)(a), 550.0251, 550.2415 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 6-26-11, 1-10-16, 12-4-17, Formerly 61D-6.006, Amended.

75-6.009 Veterinarians.

(1) The commission ~~Division~~ shall employ a veterinarian (the commission ~~Division~~ or state veterinarian) who is licensed and in good standing with the Florida State Board of Veterinary Medicine pursuant to Chapter 474, F.S. The commission ~~Division~~ veterinarian is authorized to:

(a) and (b) No change.

(c) Monitor the conduct and practice of veterinarians licensed by the commission ~~Division~~ in accordance with this chapter;

(d) No change.

(e) Inquire into any violation concerning a practicing veterinarian, and counsel the stewards, ~~judges~~, or commission ~~Division~~ investigators concerning such violations of rules;

(f) No change.

(g) Inspect stables ~~and greyhound compound areas~~ for

general health and safety requirements;

(h) Recommend to the stewards ~~or judges~~ that a special urine or blood sample be collected from any racing animal that he/she suspects is not performing according to form; and

(i) Perform such other duties as the commission ~~Division~~ may from time to time require.

(2) Each racing animal permitholder shall employ a veterinarian (the track or permitholder veterinarian) who is licensed by and in good standing with the Florida State Board of Veterinary Medicine pursuant to Chapter 474, F.S. It is the duty of the general manager to ensure that the requirements of rules pertaining to the track veterinarian are strictly complied with.

(a) Every racing animal entered to race shall be given a pre-race examination on the day of the race to determine the entry's fitness to race. The pre-race examination shall be made by the track veterinarian. Horses shall be examined prior to racing. All bandages shall be removed by the groom and the entry exercised outside the stall so the track veterinarian can determine the physical condition of the entry.

~~1. Horses shall be examined prior to racing. All bandages shall be removed by the groom and the entry exercised outside the stall so the track veterinarian can determine the physical condition of the entry.~~

~~2. Racing greyhounds shall be examined by the track veterinarian at the first weighing in time, before entry into the lock-out kennel (Jenny pit).~~

(b) The track veterinarian shall observe the condition of all racing animals immediately prior to, during, and after the race. Any racing animal which has been entered to race that the track veterinarian or commission ~~division~~ veterinarian considers to be unsound for racing shall be promptly reported to the stewards ~~or judges~~ and said animal shall be scratched.

(c) The track veterinarian shall maintain a list to be known as the "Veterinarian's List" upon which the veterinarian shall enter the name of any racing animal which the veterinarian considers unfit, unsound or not ready for racing. Any racing animal placed on the Veterinarian's List shall be refused entry until the track veterinarian removes its name from the list. A trainer ~~or kennel owner~~ may appeal any decision to place a racing animal on the Veterinarian's List to the stewards ~~or judges~~.

(d) The track veterinarian shall perform such other reasonable duties pertaining to the health and welfare of the racing animals as shall be directed by the stewards, ~~judges~~, or the commission ~~Division~~.

(3) Any veterinarian duly licensed in accordance with the laws of the State of Florida and desiring to practice on the grounds of a permitholder (practicing veterinarian) must be licensed by the commission ~~Division~~.

(a) No change.

(b) Practicing veterinarians who prescribe or use any drug, medication, compound (natural or synthetic) or treatment which contains a legend or proprietary drug, medication, or medicinal compound (natural or synthetic) which may restrict the racing ability of a racing animal for a period of time, shall at the time of prescribing or use deliver to the racing animal's trainer of record or their designee when witnessed to, a written statement setting forth the date, the name of the animal, and the name of said drug, medication or compound (natural or synthetic), the effect and reason so prescribed and used. A copy of this statement shall be available upon the request of the commission Division veterinarian, track veterinarian or stewards/judges. Any illness with unusual symptoms shall immediately be reported by the trainer, ~~kennel owner/operator~~ or attending veterinarian to the commission Division veterinarian, track veterinarian or steward/judge.

(4)(a) Practicing veterinarians shall maintain records of all racing animals treated and of all medications sold or dispensed. These records shall include the names of the racing animals, their trainer ~~or kennel owner of record~~, the date, time, amount and type of medication, drug or compound (natural or synthetic), method of administration, and diagnosis. These records shall be retained for at least 24 months and shall be available for inspection by commission Division personnel.

(b) No change.

(5) The track veterinarian, the commission Division veterinarian and any practicing veterinarian who furnishes professional services at a race meeting are prohibited:

(a) through (b) No change.

(6)(a) No veterinarian employed by a permitholder or by the commission Division shall be permitted, during the period of employment (30 days prior to the meet, until the completion of the meet), to treat or prescribe for any racing animal participating in a pari-mutuel meeting for compensation or otherwise, except in cases of emergency, or as otherwise authorized by the commission Division. In all cases where emergency treatment is rendered, a full and complete report of such treatment shall be made to the commission Division. No owner or trainer shall employ or pay compensation to any such veterinarian, either directly or indirectly, during the period for which he/she is so employed by the commission Division or a permitholder unless otherwise authorized by the commission Division.

~~(b) As an exception to this section, greyhound permitholders may direct their track veterinarians to adopt a schedule for and perform the administration of testosterone for the control of estrus to female racing greyhounds, and required inoculations for all racing greyhounds. The costs of such administrations shall be determined by contractual agreement.~~

(7) No change.

(8)(a) All racing animals shall be inoculated for infectious,

contagious, and epizootic diseases including the following, and given boosters as recommended by veterinarians: Equine: Mandatory (unless the attending veterinarian, based upon the veterinarian's professional judgement, as indicated in the animal's veterinary records, determines that inoculation is contraindicated) at least as often as recommended by the vaccine manufacturer unless additional inoculations are required by the attending veterinarian: Influenza, Equine Encephalitis, and Rhinopneumonitis. Any other inoculation shall occur as recommended by the attending veterinarian.

~~1. Canine: Each of the following, once per year: Distemper, Adenovirus (Hepatitis), Leptospirosis, Para Influenza, Parvo, Bordetella bronchiseptica and Rabies.~~

~~2. Equine: Mandatory (unless the attending veterinarian, based upon the veterinarian's professional judgement, as indicated in the animal's veterinary records, determines that inoculation is contraindicated) at least as often as recommended by the vaccine manufacturer unless additional inoculations are required by the attending veterinarian: Influenza, Equine Encephalitis, and Rhinopneumonitis. Any other inoculation shall occur as recommended by the attending veterinarian.~~

(b) ~~Proof of vaccination for each active or inactive racing greyhound must be kept on file by the kennel owner/operator, trainer of record and be subject to inspection by the Division, provided, however, that failure to possess such proof shall not be the basis for disciplinary action if proof of inoculation can be secured through the treating veterinarian.~~ Proof of vaccination and a Coggin's Test certificate for racing horses must be kept on file with the trainer of record and be subject to inspection by the commission Division, provided, however, that failure to possess such proof shall not be the basis for disciplinary action if proof of inoculation and/or Coggin's Test can be secured through the treating veterinarian or the Florida race track where the horse is stabled.

(9) Any veterinarians practicing on the grounds of a permitholder shall promptly report to the commission Division veterinarian, track veterinarian or in their absence, the stewards/judges, any inhumane, illegal, or improper treatment of a racing animal that comes to their attention. The failure to do so will be considered a violation of these rules.

~~(10) Any veterinarian who euthanizes a greyhound shall:~~

~~(a) Use only one time disposable syringes in compliance with paragraph (3)(a) of this rule; and,~~

~~(b) Maintain all records required by paragraph (4)(a) of this rule.~~

Rulemaking Authority 120.80(19)(4)(a), 550.0251(3), (11), 550.2415(6)(b), (12) FS. Law Implemented 550.0251, 550.2415(6)(b) FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 7-20-10, 1-10-16, Formerly 61D-6.009, Amended _____.

75-6.012 Racing Greyhound Drug and Substance Classification System and Penalty Schedule.

Rulemaking Authority 550.0251(3), (11), 550.2415(7), (12) FS. Law Implemented 550.0251, 550.1155, 550.2415 FS. History—New 6-26-11, Amended 1-10-16, 8-1-19, Formerly 61D-6.012, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Gaming Control Commission
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NO.: RULE TITLE:
 75-7.020 Pari-Mutuels

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to remove references to live greyhound racing in the State of Florida and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 550.0251(3), (7), 550.155(1), 550.3551(10), 550.495(4), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.0425, 550.155, 550.495, 550.70 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the

Commission, at Melba.Apellaniz@flgaming.gov or (850)794-8067.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-7.020 Pari-Mutuels.

(1) No change.

(2) A permitholder that serves as a totalisator hub shall provide a work area for use by commission ~~division~~ personnel. The work area shall be located adjacent to or within a reasonable proximity to the totalisator room, and provide visibility of the tote console, printer, and field totalisator boards. The work area shall include functioning power outlets and adequate space for locking file cabinets or other storage facility that can store records for a period of one year. State personnel shall have possession of any keys or combinations required to access storage facilities used for storing state equipment or records. Where the totalisator is located at a site other than a pari-mutuel facility, the responsibilities of this paragraph shall be borne by the totalisator company.

(3) through (8) No change.

~~(9) No later than the opening of the starting box at greyhound tracks, all pari-mutuel machines shall be locked by the division judge via a control linked to the totalisator system.~~

(10) renumbered (9) No change.

~~(10)(11)~~ As an alternate emergency procedure, if the commission ~~division~~ judge or steward fails to close pari-mutuel wagering, it shall become the responsibility of the permitholder's ~~judges~~ or stewards. A report of such circumstances shall be made to the commission ~~division~~ within 48 hours by all the participating ~~judges~~ or stewards.

(12) renumbered (11) No Change.

~~(12)(13)~~ As an alternate emergency procedure, in any jai alai game, if the permitholder's announcer fails to close pari-mutuel wagering, it shall become the responsibility of the permitholder's pari-mutuel manager. The participating announcer and pari-mutuel manager shall make a report of such circumstances to the commission ~~division~~ within 48 hours.

~~(13)(14)~~ If, then, the permitholder's ~~judges~~, stewards, jai alai announcer, or pari-mutuel manager fail to close the wagering or if the command is issued but fails to take hold, the responsibility shall fall to the totalisator operator at the facility conducting the live event or importing the contest from out of state as a primary guest. For this purpose the totalisator operator shall have the ability to monitor each contest being conducted live, or imported if a primary guest, at that facility.

(15) renumbered (14) No change.

~~(15)(16)~~ Upon investigation, any wager which has been determined to have been purchased after the contest has started shall be disallowed and the bettor will not receive any winnings related to the disallowed wager. The disallowed winnings shall

be treated as an underpayment to the public and within seven days of the incident shall be added into the net wagering pool chosen by the permitholder and approved by the commission division. The add-in must be done prior to the stop bet of the race and the pool matrix shall not be affected in any way. If the addition to the pool is not possible because of the end of the meet, the underpayment shall be carried over to the next meet and added to the first performance.

~~(16)~~(17) Each permitholder must install and maintain in good working order a suitable communications system between the totalisator room and state judge's/steward's stand, or the announcer stand in jai alai and the office of mutuel operations.

~~(17)~~(18) With respect to the operation of the mutuels department, should any emergency arise not covered by these rules and an immediate decision is necessary, the Mutuels Manager shall make the decision and render a written report to the commission division within 48 hours concerning the incident.

~~(18)~~(19) Each permitholder that participates in account wagering or utilizes walk-around terminals or self-service terminals, at least seven days prior to implementation, shall provide to the commission division a copy of the operational procedures for each method of wagering. Such procedures shall include detailed information of any system interfaces within the totalisator system, procedures of how tickets are purchased and cashed, and the security controls for this system of wagering.

Rulemaking Authority 550.0251(3), (7), ~~550.105(2)(b)~~, 550.155(1), 550.3551(10), 550.495(4), 550.6305(5) FS. Law Implemented 550.0251, 550.0425, ~~550.105~~, 550.155, 550.495, 550.70 FS. History—New 10-20-96, Amended 12-15-97, 2-24-03, 9-19-04, 1-10-08, Formerly 61D-7.020, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Gaming Control Commission
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NOS.: RULE TITLES:
 75-8.003 Reporting Requirements for
 Charity/Scholarship Performances

75-8.006 Purse Requirements, Greyhound Racing

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to remove references to live greyhound racing in the State of Florida and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 550.0251(3), (7), 550.125(2)(b), 550.155(1) FS.

LAW IMPLEMENTED: 550.0251, 550.0351, 550.125, 550.155, 550.1647 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399. Tel: (850)794-8067. Email: clerk@flgaming.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-8.003 Reporting Requirements for Charity/Scholarship Performances.

(1) Proceeds from all charity/scholarship performances shall be distributed only to proposed recipients which are determined by the commission division to be in compliance with Section 550.0351, F.S. Any charity registered with or determined to be exempt by the Division of Consumer Services pursuant to Chapter 496, F.S., shall be deemed in compliance with Section 550.0351, F.S. It shall be the permitholder's responsibility to insure that charity recipients are registered or have been determined to be exempt pursuant to chapter 496, F.S., or are duly qualified with the commission division by the filing of a copy of the exemption from taxation issued by the Internal Revenue Service to such charity.

(2) No change.

(3) Within 120 days after the conclusion of its fiscal year each permitholder shall pay the proceeds of all charity performances to the authorized charities and, within 45 days after the required due date for such payments, shall submit to

the ~~commission division~~ Form FGCC PMW-3540, Statement of Proceeds for Charity Day Performance, hereby incorporated by reference in this rule (<http://www.flrules.org/Gateway/reference.asp?No=Ref-17156>), and Form FGCC PMW-3550, Charity Day Proceeds and Distribution, hereby incorporated by reference in this rule (<http://www.flrules.org/Gateway/reference.asp?No=Ref-17157>). Copies of Form FGCC PMW-3540, Statement of Proceeds for Charity Day Performance and Form FGCC PMW-3550, Charity Day Proceeds and Distribution, may be obtained at www.flgaming.gov or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399, both adopted and incorporated by Rule 75-10.001, F.A.C. Copies of supporting documentation such as checks should be included with the forms, along with a statement and reconciliation, ~~which includes all deductions and additions of money, and support for all banking transactions including bank statements, for the “Greyhound Adopt A Pet Day.”~~

~~(4) A greyhound permitholder may hold one additional charity day, designated as “Greyhound Adopt A Pet Day,” as authorized by Section 550.1648, F.S. “Profits” for this charity event shall be calculated in the same manner as required for “proceeds” in Sections 550.0351(4) and (5), F.S.~~

~~(5) The permitholder must maintain an accounting of the funds related to the “Greyhound Adopt A Pet Day” charity. All revenue associated with this charity event must be deposited into a separate account, within 7 days of the event. Documentation, including names of recipients, individuals or entities, must be maintained of all disbursements from the fund account. Disbursements may be made only to recipients allowed by Section 550.1648, F.S., in that the money must be used to support activities for promoting greyhound adoptions.~~

~~(6) The permitholder is the custodian of the funds related to the “Greyhound Adopt A Pet Day” charity event. As part of any review by the division in which it is determined there were unlawful recipients of the charity funds, the permitholder will be required to reimburse the fund for the amount of the improper disbursement(s).~~

~~Rulemaking Authority 550.0251(3), (7), 550.125(2)(b), 550.155(1) FS. Law Implemented 550.0251, 550.0351, 550.125, 550.155, 550.1647, 550.1648 FS. History—New 10-20-96, Amended 12-15-97, 6-29-05, 4-12-06, Formerly 61D-8.003, Amended _____.~~

75-8.006 Purse Requirements, Greyhound Racing.

~~Rulemaking Authority 550.6305(5) FS. Law Implemented 550.09514(2)(d) FS. History—New 9-19-04, Formerly 61D-8.006, Repealed _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Gaming Control Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

FLORIDA GAMING CONTROL COMMISSION

RULE NO.: 75-9.004
RULE TITLE: Intertrack Wagering – Permitholder Accounting, Reporting and Ticket Cashing Responsibilities

PURPOSE AND EFFECT: The purpose and effect of this proposed rulemaking is to update the rules to remove references to live greyhound racing in the State of Florida and change all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY: The proposed rulemaking amends commission rules in order to remove references to live greyhound racing in the State of Florida and changes all references from division to commission to reflect the type two transfer that created the Florida Gaming Control Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 550.0251(3), (7), 550.125(2)(b), 550.155(1), 550.3551(10), 550.495(4), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.125, 550.155, 550.3551, 550.495, 550.615, 550.625, 550.6305 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melba Apellaniz, Clerk of the Commission, Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399. Tel: (850)794-8067. Email: clerk@flgaming.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

75-9.004 Intertrack Wagering – Permitholder Accounting, Reporting and Ticket Cashing Responsibilities.

(1) No change.

(2) Each host track shall remit payment twice weekly for all pari-mutuel taxes to the commission division for all taxes imposed and collected as per the provisions of Section 550.0951(5), F.S. For the monthly report required by Section 550.0951(5), F.S., all permitholders shall use and file Form FGCC PMW-3570, Monthly Remittance Report Intertrack, hereby incorporated by reference in this rule (<http://www.flrules.org/Gateway/reference.asp?No=Ref-17158>). A copy of Form FGCC PMW-3570, Monthly Remittance Report Intertrack, may be obtained at www.flgaming.gov or by contacting the Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399, ~~adopted and incorporated by Rule 75-10.001, F.A.C.~~

(3) Tickets purchased at a guest track must be cashed by either the issuing guest or host location. Guest tracks who share a totalisator system and mutuels management may, at their option cash each other’s outs tickets if permitted by the host permitholder. This shall not be construed in any way as relieving the issuer of the ticket from its custodial responsibilities.

(a) through (e) No change.

(f) At the end of the cashing period, an outbook and all cashed tickets shall be surrendered to the host along with any amounts representing uncashed tickets. In Jai alai ~~and greyhound racing~~ the host shall segregate cashed intertrack wagering tickets from live racing tickets before submitting the live racing tickets to the commission Division.

(4) through (6) No change.

(7) Guest greyhound tracks which conduct separate pools of intertrack wagers shall provide written notice to the commission division at least 2 working days prior to conducting the pools. Such notice shall contain the name of the host track and the date of the event for which separate pools are to be conducted.

Rulemaking Authority 550.0251(3), (7), 550.125(2)(b), 550.155(1), 550.3551(10), 550.495(4), 550.6305(5) FS. Law Implemented 550.0251, 550.125, 550.155, 550.3551, 550.495, 550.615, 550.625, 550.6305 FS. History—New 10-20-96, Amended 12-15-97, 9-19-04, 4-12-06, Formerly 61D-9.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Gaming Control Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Commissioners of the Florida Gaming Control Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2024

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.003 RULE TITLE: Board of Accountancy Departmental Forms
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 113, June 10, 2024 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board
RULE NO.: 61G19-1.009 RULE TITLE: Definitions
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 50 No. 179, September 12, 2024 issue of the Florida Administrative Register.

A Notice of Change for the above-proposed rule published on October 17, 2024, in Vol. 50, No. 204, issue of the Florida Administrative Register. The sentence “The change is in response to comments submitted by the Joint Administrative Procedures Committee” should read “The change is in response to comments submitted by the public to clarify the definition of Internship Certification Program.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krista Woodard, Executive Director, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0791, Krista.Woodard@myfloridalicense.com

**Section IV
Emergency Rules**

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On October 2, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from La Pina Colada and Fruit Blends LLC. located in Clermont. 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. 50/194 on October 3, 2024. The Order for this Petition was signed and approved on October 17, 2024. 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 3-compartment 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: Daisy.Lee@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

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

On October 7, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from TFC LLC. located in Zephyrhills. 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 Petition for this variance was published in Vol. 50/197 on October 8, 2024. The Order for this Petition was signed and approved on October 17, 2024. 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 bathrooms located within Five Two Seven Foods Inc. (dba: Hungry Howies #175 SEA6102701), are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of TFC LLC (The Flying Chicken) and/or Five Two Seven Foods Inc. (Hungry Howie's # 175) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@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-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 18, 2024, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Marion County Facilities Management located at 11800 S Hwy 441, Belleview, FL 34420, filed September 20, 2024, and advertised on September 24, 2024, in Vol. 50, No. 187, of the Florida Administrative Register. No comments were

received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.27.2.3, ASME A17.1, 2019, edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires an illuminated signal(s) marked "ELEVATOR EMERGENCY POWER" shall be provided in the elevator lobby at the designated level for each group of elevators or for any single elevator not in a group. The signal(s) shall indicate that the normal power supply has failed and the emergency or standby power is in effect for one or more of the cars in that group of elevators or that single elevator, because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2024-150).

A copy of the Order or additional information may be obtained by contacting:

Division of Hotels and Restaurants, Bureau of Elevator Safety,
2601 Blair Stone Road, Tallahassee, Florida 32399-1013.
dhr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.001 Hours Requirement

NOTICE IS HEREBY GIVEN that on October 17, 2024, the Board of Optometry, received a petition for waiver or variance filed by Teresa Grochowski. Petitioner is seeking a variance or waiver of subsection 64B13-5.001(1), F.A.C., that states in part that licensed practitioners shall not be required to complete the continuing education requirements during the biennium in which they are initially licensed but must complete one (1) hour of approved continuing education in acquired immune deficiency syndrome that complies with the requirements of section 456.033, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dayle DeCastro Mooney, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850) 488-0595, or by electronic mail – MQA.Optometry@flhealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on October 16, 2024, the Office of Financial Regulation, received a petition for Waiver from Rule from Erez Hevroni. The petition seeks a Waiver from Rule 69W-600 which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law

Examination (Series 65); or 2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE) Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850) 410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850) 410-9889, Agency.Clerk@flofr.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 29, 2024, 1:30 p.m. to conclusion.

PLACE: The Grove Museum, 902 N. Monroe St., Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Friends of Florida History, Inc., Citizen Support Organization

A copy of the agenda may be obtained by contacting: John Grandage at (850) 245-6373 or john.grandage@dos.fl.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: John Grandage at (850) 245-6373 or john.grandage@dos.fl.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: John Grandage at (850) 245-6373 or john.grandage@dos.fl.gov.

DEPARTMENT OF STATE

Division of Library and Information Services

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

DATE AND TIME: November 1, 2024, 9:00 a.m. – 10:00 a.m., Eastern

PLACE: This meeting will be held both in person and remotely via Zoom. Physical location: Room 307, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399. To attend virtually, register at:

<https://dos-myflorida.zoom.us/j/9025123456789>

GENERAL SUBJECT MATTER TO BE CONSIDERED: A special committee of the Board of Directors of the Friends of the State Library and Archives of Florida Inc. will meet to discuss Division event support.

A copy of the agenda may be obtained by contacting: the Division of Library and Information Services at dlinfo@dos.myflorida.com or (850)245-6607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Division of Library and Information Services at (850)245-6607 or dlinfo@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Division of Library and Information Services at dlinfo@dos.myflorida.com or (850)245-6607.

PUBLIC SERVICE COMMISSION

The PUBLIC SERVICE COMMISSION announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, November 5, 2024, 9:30 a.m., Agenda Conference, although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Public Service Commission will consider at its November 5, 2024 Agenda Conference, Docket No. 20240138-EI, Application for authority to issue and sell securities during twelve months ending December 31, 2025 pursuant to Section 366.04, F.S., and Chapter 25-8, F.A.C., by Duke Energy Florida, LLC (“DEF”). DEF seeks Commission approval to (a) issue, sell, or otherwise incur during 2025 up to \$1,500,000,000 of any combination of equity securities and long-term debt securities and other long-term obligations (exclusive of bank

loans issued under the Company’s long-term credit facilities as mentioned in the request); and (b) to issue, sell or otherwise incur during 2025 and 2026 up to \$2,000,000,000 outstanding at any time of short-term debt securities and other obligations, which amount shall be in addition to and in excess of the amount the Company is authorized to issue pursuant to Section 366.04, Florida Statutes, which permits the Company to issue short-term securities aggregating to not more than five percent of the par value of the Company’s other outstanding securities.

EMERGENCY CANCELLATION OF CONFERENCE:

If a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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 five days before the workshop/meeting by contacting: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770. Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770.

PUBLIC SERVICE COMMISSION

The PUBLIC SERVICE COMMISSION announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, November 5, 2024, 9:30 a.m., Agenda Conference, although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Public Service Commission (Commission) will consider at its November 5, 2024, Agenda Conference, Docket No. 20240131-EI – Application for authority to issue and sell securities for 12 months ending December 31, 2025, by Tampa Electric Company (TECO). TECO seeks Commission approval pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, to issue, sell, and/or exchange equity securities and issue, sell, exchange, and/or assume long-

term or short-term debt securities and/or to assume liabilities or obligations as guarantor, endorser, or surety during calendar year 2025. TECO also seeks authority to enter into interest rate swaps or other derivative instruments related to debt securities. The amount of all equity and long-term debt securities issued, sold, exchanged, or assumed, and liabilities and obligations assumed or guaranteed as guarantor, endorser, or surety will not exceed in the aggregate \$1.1 billion, including any amounts issued to retire existing long-term debt securities. The maximum amount of short-term debt outstanding at any one time will be \$1.2 billion.

EMERGENCY CANCELLATION OF CONFERENCE:

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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 five days before the workshop/meeting by contacting: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770. Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast and South Florida Regional Planning Councils announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2024, 9:00 a.m. - 4:00 p.m. or until the conclusion of the conference.

PLACE: Florida Atlantic University Student Union Building, Grand Palm, 1995 Dade Avenue, #1973, Boca Raton, Florida 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference will take an in-depth look at the demographic shifts and unique challenges and opportunities facing the South Florida and Treasure Coast regions as the population and workforce continues to age and live longer. The conference will feature panel discussions and presentations on the land use,

healthcare, transportation, and economic implications of an aging population.

Attendees may include one or more board members, elected officials, and staff from the Treasure Coast and South Florida Regional Planning Councils; Palm Beach, Martin, St. Lucie, Indian River Monroe, Miami-Dade, and Broward counties and their respective county agencies and departments; transportation planning and metropolitan planning organizations; municipal governments in Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, and Indian River counties; the South Florida Regional Transportation Authority; and Southeast Florida Transportation Council. State and federal agencies may also be present including, but not limited to, members and/or staff from the Florida Department of Environmental Protection; Florida Department of Transportation; South Florida Water Management District, and the U.S. Army Corps of Engineers.

A copy of the agenda may be obtained by contacting: the Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or

the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994; lgulick@tcrpc.org; (772)221-4060 or the South Florida Regional Planning Council, One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; klerch@sfrpc.com; (954)924-3653.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: November 7, 2024, 10:00 a.m.

PLACE: City of Stuart Fire Rescue, 800 SE Martin Luther King Jr. Boulevard, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Local Emergency Planning Committee will hold its quarterly meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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 5 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

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

DATE AND TIME: October 30, 2024, 10:00 a.m.

PLACE: Via Teleconference; dial 1(877)309-2073, Access Code#659-910-157

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 13, 2024; 1:30 p.m. - 3:30 p.m.

PLACE: Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjNmYTM0OWEtMTNhNS00NzlmLWFmZWVtY2VkZjgyZmJiMzBh%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Lita Amin (904)524-1316 or David Draper at (407)317-7335

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: Lita Amin (904)524-1316 or David Draper at (407)317-7335. 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: Lita Amin (904)524-1316 or David Draper at (407)317-7335

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NOS.:RULE TITLES:

- 69B-221.003 Managing General Agents
- 69B-221.005 Currently Revoked, Suspended or Denied License
- 69B-221.065 Statistical Reporting Form
- 69B-221.070 Build-up Funds; Reporting
- 69B-221.085 Rate Filing; Approval; Proof

69B-221.100 Terms and Conditions of Contract; Surrender Form

69B-221.105 Premium Charge Only Permitted

69B-221.110 Premium Shall Be Term Charge; Premium Refund; When

69B-221.135 Collateral Security Requirements

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

DATE AND TIME: October 29, 2024, 1:00 p.m.

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/626020717>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 626-020-717

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 626 020 717 or dial directly: 626020717@67.217.95.2 or 67.217.95.2##626020717

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing will consider public input on the proposed changes to the above-referenced rules.

A copy of the agenda may be obtained by contacting: Ray Wenger at 200 East Gaines St, Tallahassee, Florida 32399-0320, (850)413-5605, Ray.Wenger@MyFloridaCFO.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger at 200 East Gaines St, Tallahassee, Florida 32399-0320, (850)413-5605, Ray.Wenger@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SENIOR CONNECTION CENTER, INC.

The Senior Connection Center announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 5, 2024, 10:00 a.m.

PLACE: Senior Connection Center, 8928 Brittany Way, Tampa

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of Senior Connection Center's Board of Directors. Items related to business and Board of Director's oversight.

A copy of the agenda may be obtained by contacting: Paula Nelson via email at paula.nelson@sccmail.org or by phone at (813)676-5583.

For more information, you may contact: Paula Nelson via email at paula.nelson@sccmail.org or by phone at (813)676-5583.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
The H. Lee Moffitt Cancer Center and Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2024, 10:00 a.m.

PLACE: Moffitt Cancer Center, Stabile Research Building Trustees Boardroom

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors

A copy of the agenda may be obtained by contacting: Kathia Fernandez at (813)745-7705, 12902 Magnolia Drive, CSB-8 Admin, Tampa, FL 33612

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: Kathia Fernandez. 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).

BRYANT MILLER OLIVE

The Capital Trust Authority announces a hearing to which all persons are invited.

DATE AND TIME: Monday, October 28, 2024, 10:40 a.m., CST/11:40 a.m., EST

PLACE: A telephonic public hearing, using the instructions as provided herein.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
NOTICE OF TELEPHONIC PUBLIC HEARING

The Capital Trust Authority (the "CTA") has been requested by Trinity Preparatory School of Florida, Inc., a Florida not for profit corporation, and an organization described in Section 501(c)(3) of the Code, and/or one or more related and/or affiliated entities (collectively, the "Borrower"), to issue its Educational Facilities Revenue and Revenue Refunding Bonds, in one or more series of tax-exempt qualified 501(c)(3) bonds or taxable bonds, in an aggregate principal amount not to exceed \$55,000,000 (the "Bonds").

For the purposes of Section 147(f) of the Code, notice is hereby given that, in accordance with the Internal Revenue Service Revenue Procedure 2022-20, a telephonic public hearing will be held by a hearing officer on behalf of the CTA on Monday, October 28, 2024 at 10:40 a.m., CST/11:40 a.m., EST, or as soon thereafter as the matter may be heard, using the telephone conference instructions provided herein. The purpose of the hearing is to take public comments regarding the issuance of said Bonds by the CTA, the nature and location of the Project (hereinafter defined) and the plan of finance. The proceeds of the Bonds will be loaned to the Borrower by the CTA for the purpose of financing and refinancing, including through reimbursement, (i) the refunding of all of the (A) Orange County Industrial Development Authority Industrial

Development Revenue Bonds (Trinity Preparatory School Project), Series 2013, issued on March 1, 2013, the proceeds of which were used to finance and refinance a portion of the cost of acquiring, constructing, renovating and equipping improvements (the "Series 2013 Refinanced Facilities") to the Existing Campus Facilities (as more fully described below), and (B) Promissory Note dated February 23, 2018, by the Borrower in favor of Wells Fargo Bank, National Association, the proceeds of which were used to acquire 6001 Brick Court, Winter Park, Florida 32792 (the "Series 2018 Refinanced Facilities" and together with the Series 2013 Refinanced Facilities, the "Refinanced Facilities"); (ii) the acquisition, construction, installation and equipping of certain educational facilities, as more fully described below (the "New Facilities" and together with the Existing Campus Facilities and the Refinanced Facilities, the "Facilities"); (iii) the funding of a debt service reserve fund for the Bonds, if deemed necessary or desirable; (iv) the funding of capitalized interest for the Bonds, if deemed necessary or desirable; and (v) the payment of certain costs of issuing the Bonds, including payment an interest rate swap termination fee, if deemed necessary or desirable (collectively, the "Project").

The Existing Campus Facilities include approximately 155,000 square feet of existing educational facilities known as Trinity Preparatory School, located on approximately 101 acres of land, located at 5700 Trinity Prep Lane, Winter Park, Florida 32792, a portion of which is located in Orange County, Florida and a portion of which is located in Seminole County, Florida, and accommodating approximately 900 students in grades 6-12. The New Facilities consist of a (i) new science center, located on the Existing Campus Facilities, comprised of classrooms and laboratories equipped for science, mathematics and engineering, totaling approximately 35,000 square feet; (ii) a new Wellness Center comprised of dining space with dedicated athletic facilities and classroom space, totaling approximately 40,000 square feet; and (iii) a new head of school residence, all located on the Existing Campus Facilities, and including related facilities, fixtures, furnishings and equipment.

The plan of finance contemplates that the CTA will issue, in respect to the Project, not exceeding \$55,000,000 in aggregate principal amount of its Bonds, in one or more series of tax-exempt qualified 501(c)(3) bonds or taxable bonds, and loan the proceeds of the Bonds to the Borrower to provide funds for the Project. The Facilities will be owned by the Borrower, or an affiliate thereof or another entity chosen by the Borrower.

The Bonds, when issued, will be special, limited obligations payable solely out of the revenues, income and receipts pledged to the payment thereof and derived from financing agreements with the Borrower, and none of the CTA, Orange County, Florida, Seminole County, Florida (collectively, the "Counties") or the State of Florida (the "State") will be

obligated to pay the principal of, premium, if any, or interest on the Bonds except from the payments of the Borrower. The Bonds and the interest thereon shall never (i) pledge the taxing power of the Counties, the State or any other political subdivision, public agency or municipality thereof within the meaning of any constitutional or statutory provision, (ii) constitute the debt or indebtedness of the CTA, the Counties, the State or any other political subdivision, public agency or municipality thereof within the meaning of any constitutional or statutory provision, or (iii) pledge the full faith and credit of the CTA, the Counties, the State or any political subdivision, public agency or municipality thereof., CTA has no taxing power. Issuance of the Bonds is subject to several conditions including satisfactory documentation and receipt of necessary approvals for the financing.

INTERESTED PERSONS ARE ENCOURAGED TO ATTEND BY TELEPHONE CONFERENCE USING THE INSTRUCTIONS BELOW. ANY PERSONS WISHING TO PRESENT ORAL COMMENTS IN PERSON MUST NOTIFY THE CTA BY WRITTEN NOTICE AT LEAST 24 HOURS BEFORE THE HEARING, IN ORDER THAT SOCIAL DISTANCING ACCOMMODATIONS MAY BE MADE FOR THOSE IN ATTENDANCE. PRIOR TO SAID TELEPHONIC PUBLIC HEARING, WRITTEN COMMENTS MAY BE DELIVERED TO THE CTA AT 315 FAIRPOINT DRIVE, GULF BREEZE, FLORIDA 32561, ATTENTION EXECUTIVE DIRECTOR.

TELEPHONE CONFERENCE INSTRUCTIONS:

TOLL FREE DIAL IN NUMBER: 1(888)667-1808

At the date and time fixed for said telephonic public hearing all who appear in person or by telephone conference will be given an opportunity to express their views for or against the Project and the proposed approval of the issuance of said Bonds by the CTA and the plan of finance. All persons are advised that, if they decide to appeal any decision made with respect to the proposed approval of the issuance of said Bonds, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All interested persons are invited to present their comments on the date and time set forth above.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS TELEPHONIC PUBLIC HEARING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE HEARING OFFICER AT (850)934-4046 AT LEAST 48 HOURS IN ADVANCE OF THE HEARING, EXCLUDING SATURDAY AND SUNDAY.

A copy of the agenda may be obtained by contacting:
CONTACT THE HEARING OFFICER AT (850)934-4046.

FLORIDA SPORTS FOUNDATION

The Florida Sports Foundation, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 22, 2024, 2:30 p.m.

PLACE: Via Microsoft TEAMS

Meeting ID: 282 897 821 129

Passcode: 5dMJye

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Special meeting to appoint interim officer.

A copy of the agenda may be obtained by contacting: Jacqueline Hightower @ jhightower@playinflorida.com

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

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

For more information, you may contact: Jacqueline Hightower @ jhightower@playinflorida.com

THE VALERIN GROUP, INC.

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

DATE AND TIME: IN PERSON: Wednesday, October 30, 2024, between 4:00 p.m. and 6:30 p.m.

PLACE: Sutton Park, 950 6th Street West, Palmetto, FL 34221

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to a neighborhood focus group for the Palmetto Trails Network Project Development and Environment (PD&E) Study in Manatee County.

FDOT, District One, on behalf of Manatee County, is expanding the limits of the PD&E Study for a proposed shared use pathway through the City of Palmetto and Manatee County. The pathway is one of six transportation improvements proposed in Manatee County’s BUILD (now branded RAISE) and T-HUD grant applications known collectively as the Palmetto Trails Network Plan (PTNP).

The Palmetto Trails Network PD&E Study is currently evaluating the Middle Section which includes trail segments between the Manatee County Area Transit Center, Palmetto Youth Center, Dr. Martin Luther King Jr. Trail, Lincoln

Memorial Middle School, and Lincoln Park (Coach Eddie Shannon Park) as well as the Northern Section which includes the development of trail segments connecting Lincoln Park (Coach Eddie Shannon Park) and Washington Park through the neighborhoods just east of US 41. The new Southern Section of the study area includes the evaluation and development of trail segments and “complete street” facilities (traffic calming, shared bicycle markings on the road, and sidewalks) between the Green Bridge at US 41 Business, Connor Park, and Dr. Martin Luther King Jr. Park.

A Southern Section neighborhood focus group (open house format) will be held on Wednesday, October 16, 2024, at Sutton Park located at 950 6th Street West, Palmetto, FL 34221, between 4:00 p.m. and 6:30 p.m. to present information and obtain feedback from property owners within the Southern Section. Attendees may view project displays describing the anticipated trail network and its features, speak with project staff, and complete a short questionnaire.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated May 26, 2022 and executed by FHWA and FDOT.

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: Cynthia Sykes, FDOT District One Title VI Coordinator by email at Cynthia.Sykes@dot.state.fl.us or by phone at (863)519-2287. 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: Michelle Rutishauser at (813)380-7121 or Michelle.Rutishauser@dot.state.fl.us

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

NONE

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

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF CORRECTIONS
Florida State Prison (FSP) Primary Switchgear and Standby Generator Replacement

RULE NO.: RULE TITLE:
33-202.101 Public Hearings on Community Correctional Centers

ADVERTISEMENT TO BID FOR CONSTRUCTION FOR STATE OF FLORIDA DEPARTMENT OF CORRECTIONS PUBLIC ANNOUNCEMENT REQUESTING BIDS FROM QUALIFIED ELECTRICAL CONTRACTORS

October 18, 2024

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY MCGINNISS & FLEMING ENGINEERING (MFE) ON BEHALF OF THE FLORIDA DEPARTMENT OF CORRECTIONS.

DC PROJECT NUMBER: Project #UX-05 (ESU)

PROJECT NAME: Florida State Prison (FSP) Primary Switchgear and Standby Generator Replacement

PROJECT LOCATION: Florida State Prison, 23916 NW 83rd Avenue, Raiford, FL 32026

BID PACKAGE(S):

Number	Title
26	Electrical

CONTACT: Name: Brian Wallace
Company: McGinniss & Fleming Engineering (MFE)
Phone: (850)681-6424 ext. 5#
Address: 820 East Park Avenue, Suite I-200, Tallahassee, FL 32301
Email: bwallace@mfe-inc.com
All subsequent communications shall be through MFE's CONTACT listed above.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks
Invitation to Bid BDC26-24/25 Oscar Sherer State Park Road Repaving
NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction, is soliciting formal, competitive, sealed bids from contractors for bid number BDC26-24/25, Oscar Sherer State Park - Road Repaving. More info @ <https://tinyurl.com/fy66vwuc>.

**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, October 14, 2024, and 3:00 p.m., Friday, October 18, 2024.

Rule No.	File Date	Effective Date
64B5-13.005	10/17/2024	11/6/2024
64B12-9.016	10/15/2024	11/4/2024
64B12-9.017	10/15/2024	11/4/2024
64B13-18.002	10/15/2024	11/4/2024
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	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

PUBLIC SERVICE COMMISSION
FAR NOTICE OF SECURITIES APPLICATION
The Florida Public Service Commission will consider at its November 5, 2024, Agenda Conference, Docket No. 20240128-GU - Application for authority to issue and sell securities for 12

months ending December 31, 2025, by Peoples Gas System, Inc. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue and sell securities.

DATE AND TIME: Tuesday, November 5, 2024. The Agenda Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301.

PURPOSE: To take final action in Docket No. 20240128-GU - Application for authority to issue and sell securities for 12 months ending December 31, 2025, by Peoples Gas System, Inc.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Digital Service

Prohibited Applications

The Department of Management Services and the Florida Digital Service notice the publication of the updated Prohibited Application list pursuant to section 112.22, F.S., Use of Applications from Foreign Countries of Concern Prohibited, which is posted on the Department and FL[DS] websites at https://www.dms.myflorida.com/prohibited_applications_list. Contact the Florida Digital Service with any questions by emailing Policy@digital.fl.gov.

BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

NOTICE OF RULE DEVELOPMENT FOR THE AMENDED AMENITY POLICY AND FEES BY BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

In accordance with Chapter 2007-306, Laws of Florida, as amended, the Babcock Ranch Community Independent Special District (“District”) hereby gives notice of its intention to develop rules amending the District’s Amenity Policy regarding

use of the District’s amenities and property and setting fees and charges related to use of the District’s amenities. The purpose and effect of the proposed changes to the rates, fees, and charges is to update policies for use of District amenities and property and update such rates, fees, and charges necessary for efficient use and effective administration and maintenance of District amenities and property.

A public hearing will be conducted by the District on November 21, 2024, at 4:00 p.m. at the Babcock Ranch Filed House Cafeteria, 43281 Cypress Parkway, Babcock Ranch, Florida 33982.

Specific legal authority for the rule includes Chapter 2007-306, Laws of Florida, as amended, and 120.054, Florida Statutes. A copy of the proposed rules may be obtained by contacting the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561)571-0010, or by visiting the District’s website at <http://www.babcockranchliving.com/153/Independent-Special-District>.

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.