

Administrative Weekly. The Petitioner seeks the Board’s opinion as to whether the terms of an agreement to provide personnel to one of its customers amounts to a “temporary help arrangement” within the meaning of Section 468.520(4)(a), Florida Statutes (2007), or a “facilities staffing arrangement” within the meaning of Section 468.520(4)(c), Florida Statutes (2007). The Board originally planned to consider this Petition during a telephonic conference call to be held on March 19, 2008. The Petition will now be heard during the Board’s regularly scheduled, public meeting that will be held in St. Petersburg Beach, Florida on April 16, 2008.

Copies of the Petition may be obtained by writing Mr. Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF HEALTH**

The Board of Respiratory Care hereby gives notice that on March 17, 2008, it received a Petition for Declaratory Statement filed by Robert D. Clark, on behalf of Air Products Healthcare Southeast, Inc., d.b.a. MedSafety (“Air Products Healthcare”). The petition seeks the Board’s interpretation of Section 468.35, Florida Statutes, in regards to whether an employee or independent contractor of a home respiratory equipment company is required to be licensed by the Florida Board of Respiratory Care to perform some of all of the following activities: deliver, assemble, set-up and/or test Continuous Positive Airway Pressure (CPAP) or Bi-level therapy equipment; follow-up to ensure that the equipment is functioning properly and educate patients no how to use the nasal mask or to interface with a Positive Airway Pressure (PAP) device.

Copies of the petition may be obtained from: Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT the Department of Health, Bureau of Emergency Medical Services has declined to rule on the petition for declaratory statement filed by Martin County Fire Rescue on February 4, 2008. The following is a summary of the agency's declination of the petition:

The Department dismisses the Petition without prejudice for the following reasons. The petition does not comply with several of the formal requirements for petitions for declaratory statement. Subsections 28-105.002(1), (2), (4), and (5), F.A.C.

The petition does not specify the statutory provision, rule or order that the Petitioner believes applies to the relevant set of circumstances.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lisa Walker, Bureau of EMS, [Lisa\\_Walker2@doh.state.fl.us](mailto:Lisa_Walker2@doh.state.fl.us), 4052 Bald Cypress Way Bin C-18, Tallahassee, FL 32399, fax: (850)488-9408.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by from American Promotional Events, Inc. c/b/a TNT Fireworks, Petitioner on March 17, 2008. The following is a summary of the agency’s declination of the petition:

The Petitioner emailed his withdrawal of petition for declaratory statement stating that he was informed by the Florida State Fire Marshal’s Office that it does not have jurisdiction to the issue requested by declaratory statement.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

**Section VIII  
Notices 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 have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**