

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-14.0411                Issuance of Continuing Contracts  
PURPOSE AND EFFECT: The purpose of the rule development is to update the current process of issuing continuing contracts. The effect will be a rule aligned with Florida Statutes.  
SUBJECT AREA TO BE ADDRESSED: Continuing Contracts.  
RULEMAKING AUTHORITY: 1001.025(1), 1012.855 FS.  
LAW IMPLEMENTED: 1012.83 FS.  
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
DATE AND TIME: November 29, 2012, 1:00 p.m. - 4:00 p.m.  
PLACE: Seminole State College of Florida, Heathrow Campus, 1055 AAA Drive, Heathrow, FL 32746  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Kasongo Butler, Assistant Chancellor, Division of Florida Colleges, Florida Department of Education, 325 W. Gaines Street, Suite 1544, Tallahassee, Florida 32399-0400; 850.245.9455; Kasongo.Butler@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-14.0411 Employment Contracts for Full Time Faculty Issuance of Continuing Contracts.

~~Continuing contracts are to be awarded for service in a full-time faculty capacity as determined by the college consistent with the following rules:~~

(1) District Boards of Trustees shall develop, maintain and distribute a policy governing the issuance of continuing contracts and other employment contracts for employees serving in a full time faculty capacity as determined by the college. Such policy shall be consistent with this rule.

(2)(4) In order to be eligible for a continuing contract, full-time faculty shall must meet the following minimum requirements:

(a) Completion ~~Completing~~ of a least five (5) three (3) years of satisfactory service in the same college except as provided below during a period not in excess of seven (7) five (5) years. In all cases, with such service shall be being continuous except for leave duly authorized and granted. The criteria established by the district board of trustees may also provide for including satisfactory service in other institutions of higher learning for purposes of this section.

~~(b) Receive the rRecommendation of by the president and approval by the board for a continuing contract based on successful performance of duties, and demonstration of professional competence pursuant to criteria established by the board and the needs of the college.~~

(c) Compliance with criteria established by the board pursuant to subsection (3) of this rule.

~~(3)(2) Each board shall establish criteria which must be met before a contiuing contract may be awarded. Other criteria for a continuing contract colleges may consider including, without limitation, educational qualifications, efficiency, compatibility, character and capacity to meet the educational needs of the community, and the length of time the duties and responsibilities of this position are expected to be needed. Colleges shall provide in writing to faculty a copy of the criteria for a continuing contract.~~

(a) Such criteria shall at a minimum include the following:

1. quantifiable measurable effectiveness in the particular area of practice.
2. continuing professional development;
3. currency and scope of subject matter knowledge.
4. student and faculty feedback and feedback from employers of students; and
5. service to department, college and community.

(b) Such criteria may include the following:

1. educational qualifications, efficiency, compatability, learning outcomes, character;
2. capacity to meet the educational needs of the community;
3. the length of time the duties and responsibility of this position are expected to be needed; and
4. such other criteria as shall be included by the board.

(4) Each board may hire full-time faculty positions that are not eligible for continuing contract.

~~(3) The continuing contract shall be effective at the beginning of the annual college contractual periods.~~

(5)(4) Each employee issued a continuing contract shall be entitled to continue in their respective full-time a faculty position at the college without the necessity for annual nomination or reappointment until the individual employee resigns from the continuing contract or, except as otherwise provided subsection (7) of in this rule.

(6) Each board shall by policy establish post-award performance criteria for faculty under continuing contract. Periodic review of continuing contract faculty through post-award performance criteria is intended to contribute to their continuing growth and development.

(a) Periodic review shall occur at least every three (3) years.

(b) Periodic review shall include, but not be limited to, factors as evidence of:

1. quantifiable measurable effectiveness in the particular area of practice;

- 2. continuing professional development;
- 3. currency and scope of subject matter knowledge;
- 4. student and faculty feedback and feedback from employers of students; and
- 5. service to the department, college, and community.

~~(7)(5)(a)~~ Each district board of trustees ~~The college~~ may terminate ~~dismiss an~~ full-time faculty employee under continuing contract, or return the employee to an annual contract, ~~for failure to meet post-award performance criteria, or, for cause in accordance with college policies and procedures upon recommendation by the president and approval by the board.~~ The president or designee shall notify the full-time faculty employee in writing of the recommendation; and ~~upon approval by the board,~~ shall afford the full-time faculty employee with the right to formally challenge the action a hearing in accordance with the policies and procedures of the college. As an alternative to the hearing rights provided by college polices and procedures, the employee may elect to request an administrative hearing in accordance with the guidelines of Chapter 120, Florida Statutes, by filing a petition with the board within twenty-one (21) days of receipt of the recommendation of the president.

(b) ~~The board may dismiss a full-time faculty employee under continuing contract upon~~ Upon consolidation, reduction, or elimination of a community college program, insufficient teaching load or restriction of the required duties of a position by the board. The board may determine on the basis of the criteria set forth in subsections ~~(1) and (2) and (3),~~ which full-time faculty employees to retain ~~should be retained~~ on a continuing or annual contract and which shall be dismissed or returned to an annual contract. The decision of the board shall not be controlled by any previous contractual relationship. In the evaluation of these factors, the decision of the board shall be final.

~~(8)~~ In addition, each college, after receiving input from the faculty, shall develop appropriate criteria to measure student success, which may include but shall not be limited to the following factors, as appropriate: (i) demonstrated or documented learning gains, (ii) course completion rates, (iii) graduation and/or certification rates, (iv) continued success in subsequent and additional courses or educational pursuits and (v) job placements in the appropriate field. Such factors selected by the individual college shall be used, as appropriate, for the particular field of learning and the individual faculty member, as consideration in determining whether to grant a continuing contract pursuant to (3) above. Such factors shall also be used, as appropriate, in the review set forth in (6) above.

~~(9)(6)~~ Any full-time faculty employee holding a continuing contract who accepts an offer of annual employment in a capacity other than that in which the continuing contract was awarded may be granted an administrative leave of absence pursuant to the college's administrative rules.

(10) Each Board may award multiple year contracts, annual contracts or contracts less than one year to full-time faculty employees. No multiple year contract may exceed three (3) years. Each board that awards multiple year contracts, annual contracts or contracts less than one year shall establish rules and policies concerning such contracts.

(11) In order to provide for a transition period for full-time faculty in the process for being considered for continuing contracts, each board may provide an exemption from the time requirements set forth in paragraph (2)(a) of this rule for faculty personnel being considered for an award of a continuing contracts during the 2012-13, 2013-14 and the 2014-15 fiscal year. In addition, each board shall provide credit for satisfactory years of service incurred prior for purposes of determining eligibility for a continuing contract.

Rulemaking Specific Authority 1001.02(1), (9), 1012.83, 1012.855 FS. Law Implemented 1012.83 FS. History—Formerly 6A-8.33, Repromulgated 12-19-74, Amended 12-9-75, 2-14-77, 12-26-77, 7-16-79, Formerly 6A-14.411, Amended 7-20-04, \_\_\_\_\_.

## Section II Proposed Rules

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

RULE NO.:  
59G-4.071

RULE TITLE:  
Durable Medical Equipment and  
Medical Supply Services Provider  
Fee Schedules

PURPOSE AND EFFECT: The amendment updates Durable Medical Equipment (DME) and medical suppliers who provide services to Medicaid recipients.

SUMMARY: 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. A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, F.S., the rule will not require legislative ratification. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

#### 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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, F.S., the rule 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: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Thursday, December 6, 2012, from 10:00 a.m. to 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Dan Gabric at the Bureau of Medicaid Services, (850) 412-4209. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Gabric, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850) 412-4209, e-mail: dan.gabric@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.071 Durable Medical Equipment and Medical Supply Services Provider Fee Schedules.

Medicaid durable medical equipment and medical supply providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for All Medicaid Recipients, June 2012 ~~November 2011~~, and the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for Recipients Under Age 21, June 2012 ~~November 2011~~, which are incorporated by reference. The fee schedules are available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules.

Paper copies of the fee schedules may be obtained by calling the Provider Services Contact Center at 1(800) 289-7799 and select Option 7 from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History--New 5-7-07, Amended 5-8-08, 9-28-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Gabric

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 28, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 27, 2012

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Board of Employee Leasing Companies

RULE NO.:	RULE TITLE:
61G7-5.001	Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding initial licensure application submissions.

SUMMARY: Language regarding initial licensure application submissions will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.522, 468.524, 468.5245 FS.

LAW IMPLEMENTED: 455.213(11), 455.2281, 468.524, 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.001 Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing.

- (1) through (2) No change.
- (3) License fees shall be assessed as follows:
  - (a) For initial licensure applications to be submitted effective in the first year of the biennium:
    - 1. through 3. No change.
  - (b) For initial licensure applications to be submitted effective in the second year of the biennium:
    - 1. through 3. No change.
  - (c) through (f) No change.
  - (4) through (12) No change.

Rulemaking Authority 468.522, 468.524, 468.5245 FS. Law Implemented 455.213(11), 455.2281, 468.524, 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 FS. History—New 5-5-92, Amended 7-15-92, 10-20-92, Formerly 21EE-5.001, Amended 10-24-93, 3-14-94, 7-4-94, 9-8-94, 11-13-94, 2-13-95, 6-4-95, 11-9-95, 5-26-96, 5-19-97, 4-29-99, 9-5-04, 5-29-12.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 23, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-5.0012  
 RULE TITLE: Historical Sketch

PURPOSE AND EFFECT: The Board proposes the rule amendment to update incorporated materials in the rule.

SUMMARY: Material incorporated into the rule will be updated.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.522, 468.524(2), 468.5245 FS.

LAW IMPLEMENTED: 468.524(2), 468.5245 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.0012 Historical Sketch.

(1) Each initial application for an Employee Leasing Company license shall be accompanied by a completed "Historical Sketch," Form DBPR EL 4512, effective 5/2011 3-18-2004, which is hereby incorporated by reference and available by mail from the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or from its Website at [www.myflorida.com](http://www.myflorida.com), from those individuals who:

(a) through (c) No change.

(2) In lieu of filing the above mentioned form the applicant may file updated copies of "Exhibit 1," Form OFR-S-7-91, effective 11/22/10, which is hereby incorporated by reference and available at [www.flofr.com/securities/reg\\_forms.aspx](http://www.flofr.com/securities/reg_forms.aspx), ~~the historical sketches~~ for the same individuals which the applicant has previously filed as part of an application for registration of securities with the Florida Office of Financial Regulation Department of Banking and Finance as a condition for issuing securities contained in form

~~DOSIP S-1-91, Application for Registration of Securities (Revised 1-91) or DOSIP S-7-91, Exhibit 1 (General Issue) (Revised 1-91) or its predecessor form, which have been incorporated in Rule 69W-301.002 ~~3E-301.002~~, F.A.C., or other filings containing similar information which have been filed with the U.S. Securities and Exchange Commission or with any state securities regulatory agency.~~

(3) Each employee leasing company shall, within thirty (30) days of any person's or entities' acquisition of 10% or more of its voting stock or the voting stock of the employee leasing company's ultimate parent (if the employee leasing company or its ultimate parent is a closely-held company) or 20% or more of the voting stock of the employee leasing company or of its ultimate parent (if the employee leasing company or its ultimate parent is a publicly-held company), submit Form DBPR EL 4512, ~~entitled Historical Sketch, incorporated herein by reference and available from the Board~~ or to the Board from such person(s) or entities.

(4) No change.

(5) Each Application for Certificate of Approval for/Notification of Change of Ownership, required by Rule 61G7-10.002, F.A.C., application for a certificate of approval for a proposed change of ownership shall be accompanied by a completed Form DBPR EL 4512 for the same individuals as specified in subsection (1) above.

(6) through (7) No change.

Rulemaking Specific Authority 468.522, 468.524(2), 468.5245 FS. Law Implemented 468.524(2), 468.5245 FS. History—New 1-25-98, Amended 9-5-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 23, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.001  
RULE TITLE: Quarterly Reporting Regarding Working Capital Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the requirements for quarterly reporting of financial statements.

SUMMARY: The requirements for quarterly reporting of financial statements will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.522, 468.525(3)(d), 468.529(1) FS.

LAW IMPLEMENTED: 468.525(3)(d), 468.529(1) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.001 Examination of Financial Records: Verification of Compliance Quarterly Reporting Regarding Working Capital Requirements.

(1) In accordance with Sections 468.525(3)(d) and 468.535, F.S., the department may make investigations, audits or reviews of each individual or company licensed pursuant to Section 468.526(1), F.S., to determine whether it has violated or is in danger of violating Chapter 468, Part XI; Chapter 455; or any rule of the board or department. An examination of each company's balance sheet and income statement will be made each quarter to verify positive working capital and accounting net worth. In order to determine that each employee leasing company has maintained net worth and positive working capital, each employee leasing company shall submit a balance sheet and income statement every quarter to the department for verification. Each employee leasing company shall also submit a statement to the Board of Employee Leasing Companies affirming that it is in compliance with Section 468.529(4), F.S., in that it has adequate reserves to pay, when due, all payroll and payroll-related taxes, workers' compensation and health related premiums, and amounts due under any plan of self

insurance. This statement shall be made on Form DBPR EL 4504, "Quarterly Report Form," effective 5/2011, which is hereby incorporated by reference and available at <http://www.myfloridalicense.com/dbpr/pro/emplo/forms.html>, and filed with a copy of the company's workers' compensation certificate of insurance in effect for the current quarter. All required submissions shall be made in furtherance of a licensure renewal application and shall be submitted to the department within 75 days of the end of each calendar quarter.

(2) In furtherance of its verifications of compliance, investigations, audits or reviews under Section 468.535, F.S., the department may, as frequently as deemed necessary, request applicable compliance information from licensees. Failure to respond to the department's request for information shall constitute grounds for disciplinary action.

(3) Providing false or misleading information to the department shall constitute grounds for disciplinary action.

(4) An employee leasing company may satisfy the requirements of this rule by being accredited in good standing by the Employer Services Assurance Corporation (ESAC).

~~Each employee leasing company shall submit, not later than 75 days after the end of each calendar quarter, a statement to the Board of Employee Leasing Companies affirming that it is in compliance with Section 468.525(3)(d), F.S., in that it is maintaining positive working capital and accounting net worth, and has adequate reserves to pay, when due, all payroll taxes, workers' compensation and health insurance premiums, and amounts due under any plan of self insurance or partial self insurance. This statement shall be made on Form DBPR EL 4504 entitled "Quarterly Report Form," effective 03-18-04, which shall be filed with a copy of the company's workers' compensation certificate of insurance in effect for the current quarter including confirmation from the insurance carrier that the Board will receive at least 30 days notification of cancellation of such insurance, and the company's balance sheet and income statement for the quarter. The employee leasing company may utilize the guaranty method set forth in Rule 61G7-5.005, F.A.C., to offset any deficiency. The form, together with its instructions, are incorporated herein by reference and may be obtained by contacting the Board's office at 1940 North Monroe Street, Tallahassee, Florida 32399-0767; or its Website at [www.myflorida.com](http://www.myflorida.com). An employee leasing company may satisfy the requirements of this rule by submitting a certified true copy of its current National Associate of Professional Employer Organizations quarterly report and copies of its balance sheet and income statement for the quarter.~~

Rulemaking Specific Authority 468.522, 468.525(3)(d), 468.529(4) 468.529(4) FS. Law Implemented 468.525(3)(d), 468.529(4), 468.535 468.529(4) FS. History--New 8-12-92, Amended 6-1-93, Formerly 21EE-10.001, Amended 5-8-94, 12-19-94, 3-1-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.003  
RULE TITLE: On-Site Investigations

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding on-site inspections and performing of audits.

SUMMARY: Language regarding on-site inspections and performing of audits will be clarified.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.525(3)(d), 468.535 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.003 On-Site Investigations.

(1) In aid of its obligation under Section 468.535, F.S., to investigate, audit, or review all licenses to determine if such licenses are in compliance with or are in violation of the provisions of Section 468.525(3)(d), F.S., the Department ~~shall~~ may initiate on-site ~~quarterly~~ inspections of ~~all~~ licensees and perform audits of the same.

(2) The Department may also conduct random site checks to make sure employee leasing companies are in compliance with Section 468.530, F.S., as it relates to licensing and postings.

~~The Department will, however, in lieu of an on-site investigation, audit, or review, accept submission of Quarterly Reports as defined in Rule 61G7-10.001, F.A.C., so long as the reports are submitted within the time frames and manner set out therein and so long as the reports submitted show the licensee is in compliance with the provisions of Part XI of Chapter 468, F.S. Reports which fail to evidence compliance or which are untimely filed will form the basis for disciplinary action or a full investigation. In order to take advantage of this option each licensee must sign Form DBPR-EL-4515 entitled Quarterly Report Agreement, incorporated herein by reference and effective 03-18-04, in which the licensee agrees to abide by the provisions of this rule and Rule 61G7-10.001, F.A.C. Submission of Quarterly Reports in compliance with this rule shall be considered as compliance with the provisions of Rule 61G7-10.001, F.A.C. If, however, a licensee determines to subject itself to on-site inspections then the Quarterly Reports required under Rule 61G7-10.001, F.A.C., shall still be filed as required by the rule.~~

(3) No change.

Rulemaking Specific Authority 468.522 FS. Law Implemented 468.525(3)(d), 468.535 FS. History--New 5-21-00, Amended 3-1-05,  
\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 22, 2012

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**NONE**

**Section IV**  
**Emergency Rules**

**NONE**

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-4.110: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist Licensure

The Board of Orthotists and Prosthetists hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on September 18, 2012, by Magnus Baptiste. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 49, of the October 12, 2012, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 64B14-4.110(1)(a), F.A.C., entitled "Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist Licensure," which requires successful completion of the 32-hours Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination. The Board considered the instant Petition at a duly-noticed public meeting, held October 26, 2012, via teleconference.

The Board's Order, filed on November 7, 2012, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 468.803(5)(c)2, Florida Statutes, would be met by granting a variance or waiver from the rule. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists, at the above address, or telephone (850) 245-4355.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

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

DATE AND TIME: November 20, 2012, 9:00 a.m.

PLACE: 3125 Conner Boulevard, Eyster Auditorium, Tallahassee, FL 32399 or Webex: <https://suncom.webex.com/suncom/j.php?ED=36192718&UID=45082838&RT=MIMxMQ%3D%3D>

Teleconference Information: Call-in toll-free number: (888) 670-3525 (US), Call-in number: (720) 389-1212 (US), Attendee access code: 788-209-0194.

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

A copy of the agenda may be obtained by contacting: <http://consensus.fsu.edu/DACS/pest-control.html>

For more information, you may contact: Mr. Mike Page, Chief of the Bureau of Entomology and Pest Control; 3125 Conner Boulevard, MS-C41, Tallahassee, Florida, 32399; (850) 617-7997.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

RULE NO.: RULE TITLE:

29D-7.001: Strategic Regional Policy Plan

The Northeast Florida Regional Planning Council announces a workshop to which all persons are invited.

DATE AND TIME: Monday, November 26, 2012, 1:00 p.m.

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft Strategic Regional Policy Plan.

A copy of the agenda may be obtained by contacting: Carolyn Bissonnette at (904) 279-0880 or [cbissonnette@nefrfc.org](mailto:cbissonnette@nefrfc.org).

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: December 14, 2012, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its Annual Meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772) 221-4060.

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: Liz Gulick at (772) 221-4060. 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.

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: December 14, 2012, 8:45 a.m.

PLACE: Indian River State College, Wolf High Technology Center, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Nominating Committee. The Committee needs to develop a recommendation for the Year 2013 Officers, which will be presented at the December 14, 2012 Council meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772) 221-4060.

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 Liz Gulick at (772) 221-4060. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

The Florida Barbers' Board announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2013, 9:00 a.m.

PLACE: Floridays Resort, 12562 International Drive, Orlando, Florida 32821, (407) 238-7700.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 487-1395.



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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 487-1395. 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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Building Commission

The Florida Building Commission, "the Commission", Fire Technical Advisory Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Meeting changed to new date and time: November 27, 2012, 11:00 a.m. until completion.

**PLACE:** meeting to be conducted using communications technology, specifically webinar and teleconference: You must access the webinar for visual only and the teleconference for audio only.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=164056772&UID=1287079347&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link: <https://suncom.webex.com/suncom/j.php?ED=164056772&UID=1287079347&ORT=MIMxMQ%3D%3D>

To join the teleconference only, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call: toll-free number, (888) 670-3525 (US); call-in number, (720) 389-1212 (US); attendee access code: 297 701 3986

**Public Point of Access:** Department of Business and Professional Regulation, Sadowski Building, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review Section 553.895 F.S. for possible modification to allow the use of two hour separation or other approved method for

over three stories mixed use parking garages as an alternative to requiring sprinklers and other matters on behalf of the Commission.

A copy of the agenda may be obtained by contacting: Mr. Ken Cureton, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850) 487-1824 or visit the Commission Website at [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, phone (850) 487-1824 or fax (850) 414-8436. 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: Mr. Ken Cureton, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; call (850) 487-1824, or visit the Commission Website at [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm).

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#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

The Board of Pharmacy announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 20, 2012, 9:00 a.m. - CANCELLED AT THIS LOCATION.

**PLACE:** The Peabody Hotel, 9801 International Drive, Orlando, FL 32819, (407) 352-4000 - CANCELLED AT THIS LOCATION.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion on compounding has been CANCELLED AT THIS LOCATION.

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#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

The Board of Pharmacy announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 20, 2012, 9:00 a.m. to 4:00 p.m.

**PLACE:** Renaissance Orlando at Sea World, 6677 Sea Harbor Drive, Orlando, Florida 32821, (407) 351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Discussion on compounding.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850) 245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Florida Board of Pharmacy at (850) 245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 or (850) 245-4292.

PASCO-PINELLAS AREA AGENCY ON AGING

The AREA AGENCY ON AGING OF PASCO-PINELLAS announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 19, 2012, 9:30 a.m.

PLACE: Inn on the Pond, 2010 Greenbriar Boulevard, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727) 570-9696 ext. 233.

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 4 days before the workshop/meeting by contacting: Brenda Black at (727) 570-9696 ext. 233. 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: Brenda Black at (727) 570-9696 ext. 233.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of Governors announces a workshop to which all persons are invited.

DATE AND TIME: November 27, 2012, 11:00 a.m. - 4:00 p.m.

PLACE: The Knott Building in Webster Hall, Room 212 / Enter via Capitol, 402 S. Monroe St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Budget Workshop.

A copy of the agenda may be obtained by contacting: our website www.citizensfla.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: our website www.citizensfla.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).

Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Alfonso Fernandez-Fraga, President of Initial Engineers, P.A. on August 23, 2012. The following is a summary of the agency's disposition of the petition:

The petition was granted, and in response to Petitioner's question regarding the requirement of providing hot or tempered water to all public lavatories and the exception allowing leaving out hot or tempered water to hand-washing facilities in non-residential occupancy, the answer is that Section 607.1, Exception, Florida Building Code, Plumbing (2010) is more specific to nonresidential occupancies and provides for a narrower scope of application than Section 416.5, Florida Building Code, Plumbing (2010) . Therefore, the provisions of Section 607.1, Exception, Florida Building Code, Plumbing (2010) will govern with respect to the project in question and hot or tempered water is not required to be provided in a high-rise office building.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Concord Management, Limited, on September 28, 2012. The following is a summary of the agency's disposition of the petition:

The Petition asks for an interpretation of Section 7.10.1.5.1, NFPA-101 (2009), in order to determine whether the exit and egress arrangement of an apartment building described in the Petition is "readily apparent" for occupants of the apartment building. If such exit and egress arrangement is "readily apparent," the apartment building is not required to have exit signs according to the section stated above.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Mandy O'Callaghan, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, phone (850) 413-4150, fax number (850) 488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Mandy.O'Callaghan@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by William A. Wagner, III, on August 14, 2012. The following is a summary of the agency's disposition of the petition:

This Petition for declaratory statement is being sought under Florida Statutes 633.121; 633.161; 633.025; 509.013; 553.895; 509.242; and F.A.C. 69A-43.019; 69A-3.012; 69A-43; FL Fire Prevention Code LSC-101 sections 3.3.143; 3.3.42; 3.3.83; 3.3.83.1; 3.3.267; and Florida Fire Prevention Code NFPA-1 sections 1.3.4; 4.5.7; 4.5.7.1 as it applies to a structure at 84791 Overseas Hwy., Islamorada, FL. The Village Fire Official has determined, by fire safety inspection, that a portion of the structure is being utilized as a bed and breakfast. The Village Fire Official believes a bed and breakfast use is a "transient public lodging establishment," within the meaning of Section 509.242(1) F.S., Chapter 69A, sections 43.003, 43.004(2), F.A.C., and NFPA 101, Life Safety Code, section 28.1.1.3. The Declaratory Statement answers the petition by interpreting the above referenced statutes and rules for the petitioner.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Mandy O'Callaghan, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, phone (850) 413-4150, fax number (850) 488-0697 (please advise if you would like it mailed or faxed to you and please include your

phone number on your request in case any question arises), or by e-mailing your request Mandy.O'Callaghan@myfloridacfo.com.

**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**

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**NONE**

**Section XII**  
**Miscellaneous**

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On November 8, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Geraldyn Servil, C.N.A., License # CNA 206253. This

Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Notice of Emergency Action

On November 8, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jill Erin Rickerson, R.N., License # RN 9242643. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2011) The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Opticianry

## Notice of Emergency Action

On November 7, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lisa Catherine Samala, D.O., License # DO 3430. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2011) The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Pharmacy

## Notice of Emergency Action

On November 7, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Amanda Bourgeois Twehues, R.P.T., Registration # RPT 5904. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Pharmacy

## Notice of Emergency Action

On November 7, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Melissa Amberly Salerno, R.P.T., Registration # RPT 26964. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Pharmacy

## Notice of Emergency Action

On November 7, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the permit of People's Choice Pharmacy, LLC., Permit # PH 24693. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

## DEPARTMENT OF HEALTH

## Board of Physical Therapy Practice

## Notice of Emergency Action

On November 8, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Stephen K. Burlison, PT., License # 23208. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN November 5, 2012  
 and November 9, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-6.0253	11/5/12	11/25/12	38/36	
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**DEPARTMENT OF CITRUS**

20-9.001	11/8/12	11/28/12	38/34	38/39
20-9.002	11/8/12	11/28/12	38/34	
20-9.003	11/8/12	11/28/12	38/34	
20-9.004	11/8/12	11/28/12	38/34	
20-9.005	11/8/12	11/28/12	38/34	
20-9.006	11/8/12	11/28/12	38/34	
20-9.007	11/8/12	11/28/12	38/34	
20-9.008	11/8/12	11/28/12	38/34	38/39
20-10.001	11/8/12	11/28/12	38/34	38/39
20-10.002	11/8/12	11/28/12	38/34	
20-10.003	11/8/12	11/28/12	38/34	
20-13.003	11/8/12	11/28/12	38/34	38/39
20-36.007	11/8/12	11/28/12	38/34	
20-44.001	11/8/12	11/28/12	38/34	
20-50.001	11/8/12	1/1/13	38/34	
20-50.002	11/8/12	1/1/13	38/34	38/39
20-50.003	11/8/12	1/1/13	38/34	38/39
20-50.004	11/8/12	1/1/13	38/34	38/39
20-51.001	11/8/12	1/1/13	38/34	
20-52.001	11/8/12	1/1/13	38/34	
20-52.002	11/8/12	1/1/13	38/34	38/39
20-52.003	11/8/12	1/1/13	38/34	38/39
20-53.001	11/8/12	1/1/13	38/34	
20-53.002	11/8/12	1/1/13	38/34	38/39
20-54.001	11/8/12	1/1/13	38/34	
20-55.001	11/8/12	1/1/13	38/34	
20-56.001	11/8/12	1/1/13	38/34	
20-69.001	11/8/12	11/28/12	38/34	
20-71.005	11/8/12	11/28/12	38/34	
20-71.006	11/8/12	11/28/12	38/34	
20-82.001	11/8/12	1/1/13	38/34	
20-82.002	11/8/12	1/1/13	38/34	
20-91.008	11/8/12	11/28/12	38/34	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
20-98.006	11/8/12	11/28/12	38/34	
20-100.004	11/8/12	11/28/12	38/34	
20-108.004	11/8/12	1/1/13	38/34	38/39

**PUBLIC SERVICE COMMISSION**

25-4.043	11/8/12	11/28/12	38/46	
25-6.004	11/8/12	11/28/12	38/46	
25-6.042	11/8/12	11/28/12	38/46	
25-7.038	11/8/12	11/28/12	38/46	

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

40D-8.624	11/5/12	11/25/12	38/39
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**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-7.007	11/9/12	11/29/12	38/39
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**Board of Opticianry**

64B12-9.0015	11/9/12	11/29/12	38/5
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program**

65E-20.010	11/9/12	11/29/12	38/33
65E-20.011	11/9/12	11/29/12	38/33

LIST OF RULES AWAITING LEGISLATIVE APPROVAL  
 PURSUANT TO (CHAPTER 2010-279, LAWS OF  
 FLORIDA)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-304.300	3/2/11	*****	38/3	
62-304.610	8/20/12	*****	35/31	38/23

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

69L-7.020	10/24/11	*****	37/24	37/3
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