

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-18.002	Definitions
59A-18.004	Licensure Requirements, Procedures, and Fees
59A-18.005	Registration Policies
59A-18.006	Administrator
59A-18.007	Registered Nurse and Licensed Practical Nurse
59A-18.0081	Certified Nursing Assistant and Home Health Aide
59A-18.009	Homemakers or Companions
59A-18.010	Acceptance of Patients or Clients
59A-18.011	Medical Plan of Treatment
59A-18.012	Clinical Records
59A-18.013	Administration of Drugs and Biologicals
59A-18.017	Supplemental Staffing for Health Care Facilities
59A-18.018	Emergency Management Plans

PURPOSE AND EFFECT: The purpose is to revise the rules in Chapter 59A-18, F.A.C., to reduce the regulatory burden for nurse registries and to update the rules to conform to law changes. The revisions remove the requirements for a full time administrator and for evidence of training for homemakers and companions, and remove the rules that are now in state laws and in the 59A-35 pertaining to licensing procedures and background screening. The revisions also add advanced registered nurse practitioners and physician assistants since they are permitted in Section 400.506(13)(a), F.S. to write orders and sign plans of treatment in addition to physicians; remove the rule on nursing records of assessments of clients served by home health aides and nursing assistants since the requirement for such assessments is no longer in law; replace screen prints from the Department of Health web site for written verification of licensing of independent contractors; and remove the reference to 400.509 for homemakers and companions in the definition of “nurse registry services” since the requirement for nurse registries to also register as homemaker companion services organizations was removed from the law. The rule on health statements is updated to state that the person is free from communicable disease that could be casually transmitted, as recommended by the Department of Health. A definition is added for satellite offices, additional offices in the same county as the main office of the nurse registry under the same license per Section 400.506(1), F.S.

The updates correct the numbering of paragraphs of laws to conform to statutory numbering changes and web site addresses.

SUBJECT AREA TO BE ADDRESSED: Nurse Registry Licensing and Standards.

RULEMAKING AUTHORITY: 400.506, 400.497 FS.

LAW IMPLEMENTED: 400.506, 408.810, 400.488 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, May 1, 2013, 1:00 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, FL 32308

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: Isabelle Ashe, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida (850)412-4339. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, (850)412-4385, Anne.Menard@ahca.myflorida.com. The preliminary text is at <http://ahca.myflorida.com/homecare>, select "Nurse Registry" **THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-531.200	Definitions Used in Water Well Contractor Rules
62-531.300	Application Requirements for Water Well Contractors
62-531.330	Water Well Contractor License Renewal
62-531.350	Water Well Contractor Examinations
62-531.380	Display of Water Well Contractor License Number
62-531.400	Procedures for Disciplinary Actions
62-531.450	Unlawful Acts, Grounds for Disciplinary Actions, and Penalties

PURPOSE AND EFFECT: To update the rule to be consistent with recent amendments to Sections 373.323 and 373.338, F.S.; to properly incorporate reference materials; to repeal portions

of the rule that duplicate statutory language; to streamline documents relating to disciplinary actions; and to provide clarifications of rule language where needed.

SUBJECT AREA TO BE ADDRESSED: Consolidate into one document, update and reference by rule the Water Well Contractor Disciplinary Guidelines and Procedures Manual and the Florida Unified Citations Dictionary for Well Construction, as required by Section 373.333(1), F.S. The consolidated document, the Florida Water Well Contractor Disciplinary Guidelines and Citations Dictionary, will contain all information relating to penalties, discipline, and fines. Additionally, the Department proposes to delete definitions duplicated in statute and replace with cross references; to clarifying certain definitions; to clean up rule language throughout the chapter to provide clarity; and to update the Manual for Coursework and Continuing Education for Water Well Contractors to clarify the qualifications for instructors and standards for approved coursework.

RULEMAKING AUTHORITY: 373.043, 373.308, 373.309 FS.

LAW IMPLEMENTED: 120.60, 373.308, 373.316, 373.319, 373.323, 373.324, 373.326, 373.329, 373.333, 373.335, 373.336 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 3, 2013, 9:00 a.m.
PLACE: Room 609, Bob Martinez Building, 2006 Blair Stone Road, Tallahassee, FL

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: Mr. David James at (850)245-8648, or by email at David.James@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: David James at (850)245-8648

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-13.004
RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning continuing education credit for former Board members serving on a probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.
LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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: William Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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 CORRECTIONS

RULE NOS.: 33-601.226
RULE TITLES: Youthful Offender Program Participation

33-601.236 Basic Training Program – Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Forms DC6-188, Inmate Promotional Request; DC6-193, Order Modifying Sentence; and DC3-234, Order Modifying Sentence and Placing Defendant on Probation. Form DC6-188 is being amended to include a check box so the inmate can simply indicate whether they received a high school diploma or GED prior to their incarceration, to clarify that the Institutional Classification Team and Review Board of Extended Day Program will be reviewing information contained on the form, to reflect that the inmate should send the form to the Extended Day Sergeant, and to modify some of the formatting. Forms DC6-193 and DC3-234 are being amended to update language in order to be consistent with the current language used in the order of supervision conditions.

SUMMARY: Rulemaking was initiated to update three forms, DC6-188, Inmate Promotional Request; DC6-193, Order Modifying Sentence; and DC3-234, Order Modifying Sentence and Placing Defendant on Probation.

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: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 20.315, 944.09, 958.04, 958.045, 958.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 958.11, 958.12, 958.045 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.226 Youthful Offender Program Participation.

(1) through (4) No change.

(5) Advancement to Phase III.

(a) A Phase II inmate wishing to participate in Phase III must apply for advancement using Form DC6-188, Inmate Promotional Request, and an evaluation by the ICT will be conducted to determine whether the inmate is eligible for advancement to Phase III. Form DC6-188 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. <http://www.flrules.org/Gateway/reference.asp?No=Ref-01179>.

The effective date of this form is July 30, 2008.

(b) No change.

(6) through (8) No change.

(9) Sentence Modification Process.

(a) through (d) No change.

(e) The community corrections intake office shall complete Form DC6-193, Order Modifying Sentence, and submit it to the court for approval or disapproval within 5 working days from receipt of the request. Form DC6-193 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South

Calhoun Street, Tallahassee, Florida 32399-2500. <http://www.flrules.org/Gateway/reference.asp?No=Ref-01180>.

The effective date of this form is April, 2012.

(f) through (j) No change.

(10) No change.

Rulemaking Authority 944.09, 958.04, 958.11 FS. Law Implemented 944.09, 958.11, 958.12 FS. History—New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended 4-2-02, 2-19-03, 9-16-04, 5-28-12, _____.

33-601.236 Basic Training Program – Operation.

(1) through (4) No change.

(5) Request for Sentence Modification.

(a) through (e) No change.

(f) The sentence modification packet shall include the following:

1. No change.

2. A completed Order Modifying Sentence and Placing Defendant on Probation, Form DC3-234, hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is ~~10-10-04~~.

3. through 5. No change.

(g) through (l) No change.

(6) No change.

Rulemaking Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended 3-13-01, Formerly 33-506.206, Amended 1-17-02, 10-3-02, 10-10-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 2, 2013

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements with regard to qualification for examination.

SUMMARY: The proposed rule amendments are necessary to update qualification for examination.

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: 464.006 FS.

LAW IMPLEMENTED: 456.013, 464.008 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.002 Qualifications for Examination.

(1) An applicant seeking certification to take the licensure examination shall submit a completed Application for Nursing Licensure by Examination, form number DH-MQA 1094, 08/10, Application for Nursing Licensure by Re-Examination, form number DH-MQA 1120 10/08, or Application for Nursing Licensure by Endorsement, form number DH-MQA 1095, 08/10, hereby incorporated by reference demonstrating that he or she meets the qualifications prescribed by the Nurse Practice Act, Chapter 464, F.S. These forms are available from the Board office or on the Board's website: www.doh.state.fl.us/mqa/nursing. The demonstration shall include:

(a) through (c) No change.

(d) The ability to communicate in the English language, as required by Section 464.008(1)(d), F.S., shall be demonstrated by any of the following Successful completion of any one of the approved English competency examinations with:

1 through 6 No change.

7. A passing score on a nursing, or certified nursing assistant licensing examination which is given in English;

8 through 9 No change.

10. A valid High School Diploma earned from an English speaking country; or

~~11.10.~~ Completion of a college level course for academic credit in a U.S. institution; ~~or~~

(2) through (5) No change.

Rulemaking Authority 464.006 FS. Law Implemented 456.013, 464.008, 464.009 FS. History—New 4-27-80, Amended 3-16-81, 8-2-81, 7-11-83, Formerly 21O-8.21, Amended 3-3-87, 12-8-87, 6-8-88, Formerly 21O-8.021, Amended 1-30-94, Formerly 61F7-3.002, Amended 9-25-96, Formerly 59S-3.002, Amended 7-27-98, 4-19-00, 5-8-01, 9-23-03, 1-29-07, 11-22-07, 12-7-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2013

Section III Notices of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-6.311	Access to Works and Lands of the District; Closures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 70, April 10, 2013 issue of the Florida Administrative Register.

The Notice of Proposed Rule inadvertently included Rule 40E-6.311, F.A.C., Access to Works and Lands of the District; Closures, which was previously repealed, in the list of rule numbers and titles at the beginning of the Notice.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-8.002	Definitions
59A-8.003	Licensure Requirements
59A-8.004	Licensure Procedure
59A-8.0095	Personnel
59A-8.022	Clinical Records
59A-8.0245	Advance Directives
59A-8.027	Emergency Management Plans

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 27, February 8, 2013 issue of the Florida Administrative Register.

The corrections are made based on comments received from the Joint Administrative Procedures Committee’s attorney. The Notice of Proposed Rule is being corrected as listed below:

1. The following summary of the statement of estimated regulatory costs for proposed rule revisions to Rule 59A-8.003, F.A.C., is added:

Subsection 59A-8.003(11) updates the biennial license fee amount from \$1,660 to \$1,705 due to the consumer price index increase that was implemented August 1, 2010 as required in Section 408.805(2), F.S. This was a \$45 increase per home health agency. Home health agencies have been paying \$1,705 for the two-year license since that date. The projected cost of the \$45 fee increase over a five year period for 4,998 home health agency licenses is \$224,919.

Paragraph 59A-8.003(6)(c), required by Section 400.497(6), F.S., states that home health agencies that are changing ownership must demonstrate compliance with state laws by an unannounced inspection not more than 24 months prior to submission of the application for a new license for the buyer. The Agency reviewed the time frames of the most recent unannounced survey for those home health agencies that changed ownership in 2010 and 2011. Shorter time frames were considered. However, the Agency found that when the time frame is 24 months, all of the home health agencies had been surveyed within that time frame. Thus, the Agency projects that there will be no costs to home health agencies changing ownership since the proposed rule uses 24 months as the time period.

Subsection 59A-8.003(8) adds a sentence that permits home health agencies to train staff at their drop-off sites if they wish to do so. This saves money for home health agencies since they can use their existing space and not have to arrange or pay for other space. Subsection 59A-8.003(9) deletes the requirements for changes of address since those requirements are now in Rule 59A-35.040. The remaining revisions make other minor updates including web site addresses, the name of the Agency’s licensing unit, and the numbering of sections of law that do not change the requirements or add costs to home health agencies.

2. The Agency has determined that the proposed rule revisions do not require legislative ratification based on the statements of estimated regulatory costs prepared for revisions to Rules 59A-8.003 and 59A-8.0095 and completion of the checklist provided to state agencies to determine whether a statement of estimated regulatory costs is required for revisions to Rules 59A-8.002, 59A-8.004, 59A-8.022, 59A-8.0245, and 59A-8.027. The rule revisions are not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1

million in the aggregate within 5 years after the implementation of the rule. The rule revisions are also not likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. In addition, the rule is not likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

62-330 Environmental Resource Permitting

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the text of the notice of proposed rule in Vol. 39, No. 72, April 12, 2013 issue of the Florida Administrative Register. The Florida Department of Environmental Protection has made the following correction to the following paragraph in the Summary section of the Notice of Proposed Rule:

EFFECT ON THOSE OTHER RULES: ~~The amendments to Chapter 62-330, F.A.C., make it so the references to this chapter in Rules 62-4.001 and 62-4.200, F.A.C., are no longer necessary.~~ Rule 62-343.030, F.A.C., will no longer apply, as the amendments to Chapter 62-330, F.A.C., have removed those definitions previously incorporated by reference. All other rules, no effect.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.210: Maintaining Eligibility for Financial Assistance; Breaks in Employment

NOTICE IS HEREBY GIVEN that on April 16, 2013, the Office of Early Learning, received a request from the Early Learning Coalition of Putnam and St. Johns Counties, seeking

a withdrawal of its petition for temporary waiver of subsection 60BB-4.210(1), F.A.C. A Notice of Receipt of Petition for Variance/Waiver was published on March 1, 2013.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.210: Maintaining Eligibility for Financial Assistance; Breaks in Employment

NOTICE IS HEREBY GIVEN that on April 16, 2013, the Office of Early Learning, received a request from the Early Learning Coalition of Clay, Nassau, Bradford & Baker Counties, seeking a withdrawal of its petition for temporary waiver of subsection 60M-4.210(1), F.A.C. A Notice of Receipt of Petition for Variance/Waiver was published on March 27, 2013.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-20.0014: Minimum Requirements for High-Liability and Specialized Topics Instructor Certification

NOTICE IS HEREBY GIVEN that on April 12, 2013, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraphs 11B-20.0014(2)(d) and 11B-35.0021(6)(d), F.A.C., by Santa Fe College Institute of Public Safety on behalf of First Aid Instructor, Jon Duff. Petitioner wishes to waive that portion of subparagraph 11B-20.0014(2)(d)6., F.A.C., that requires a Florida certified Paramedic to obtain CJSTC certification before instructing basic recruit training first aid courses. The Petitioner wishes to waive that portion of paragraph 11B-35.0021(6)(d), F.A.C., which requires a specified student/instructor ratio in high liability courses, including First Aid. The Petitioner states that it hired Instructor Duff to teach First Aid to law enforcement basic recruit students. At all times pertinent to the waiver, Duff was a certified Florida Paramedic and was eligible to use that certification to obtain a CJSTC First Aid instructor certificate upon application. However, Duff did not apply for certification.

The Petitioner states that the rule affects it differently from other, similarly situated entities who are subject to the rule because it will have to bring students back to complete another First Aid course, even though the students have successfully passed Basic Recruit Training, the State Officer Certification Examination and are successfully employed. The Petitioner states that none of the recruits who took First Aid under Duff were negatively affected. The Petitioner states further that Duff is in the process of becoming fully CJSTC certified as a First

Aid instructor. The Petition states that the relief sought is a permanent waiver of the operation of these two rules from May 14, 2012, through October 23, 2012.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017: Personnel

NOTICE IS HEREBY GIVEN that on March 25, 2013, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(2), Florida Administrative Code, from Children's Home Society of Florida and Melisa Garcia. Subsection 65C-15.017(2), F.A.C., requires agency staff responsible for supervision shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university and at least two years of experience in human services or child welfare programs. Four years of experience in human services or child welfare programs may be substituted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd. Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Child Care Executive Partnership announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: The Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Child Care Executive Partnership business.

A copy of the agenda may be obtained by contacting Lisa.Billups@oel.myflorida.com. Agenda will be available 7 days before the meeting date.

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: Lisa.Billups@oel.myflorida.com. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Lisa.Billups@oel.myflorida.com.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, May 1, 2013, 9:00 a.m.

PLACE: Glades County Public Library, 201 Riverside Drive, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Glades-Hendry Joint LCB will be holding a public hearing prior to their regular meeting.

A copy of the agenda may be obtained by contacting Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232.

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: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 1, 2013, 10:30 a.m.

PLACE: Glades County Public Library, 201 Riverside Drive, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular quarterly meeting of the Glades-Hendry Joint Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232.

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 Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 visit the SWFRPC's website at www.swfrpc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 1, 2013, 1:00 p.m. – 3:00 p.m.

PLACE: Webinar: <https://www2.gotomeeting.com/register/603361634>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Water Resources Monitoring Council Salinity Network Workgroup to discuss development of indices for groundwater levels and groundwater quality.

A copy of the agenda may be obtained by contacting: Ms. Lisa Van Houdt, Watershed Monitoring Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3525, Tallahassee, Florida 32399, e-mail: Lisa.VanHoudt@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Ms. Lisa Van Houdt at (850)245-8433 or Lisa.VanHoudt@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: Tuesday, April 30, 2013, 9:00 a.m. EST

PLACE: Department of Health, Tallahassee at Meet Me Number (888)670-3525 code 4764781998

GENERAL SUBJECT MATTER TO BE CONSIDERED: Centennial Committee Planning Discussion.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy, Prescription Drug Abuse Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 3, 2013, 2:00 p.m. – 4:00 p.m.

PLACE: DoubleTree Miami Airport Convention Center, 711 N.W. 72nd Avenue, Miami, FL 33126, (305)261-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Prescription Drug Abuse.

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 The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 Florida Board of Pharmacy at (850)245-4292.

SOIL AND WATER CONSERVATION DISTRICTS

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2013, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 North Krome Ave. Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors: Ag Lab, MIL, and District activity report for prior month.

A copy of the agenda may be obtained by contacting Wendy Lobos, (305)242-1288. For more information, you may contact: Morgan Levy, (305)242-1288.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: April 18, 2013, 5:00 p.m. – 7:00 p.m.

PLACE: Islamorada Public Library, 81830 Overseas Highway, Islamorada, FL 33036

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public information meeting for a roadway project along SR 5/US 1/Overseas Highway/Lower and Upper Matecumbe Keys from Mile Marker (MM) 77.47 to MM 81.44, in Monroe County. The project identification number is 425600-6-52-01.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349 or by email: amparo.vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Brian Rick at (305)470-5349 in writing: FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email, brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Public Information Specialist Amparo Vargas at (305)470-5349 or by email, amparo.vargas@dot.state.fl.us.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF HEALTH

Board of Dentistry

The Board of Dentistry hereby gives notice that on April 12, 2013, it received a Petition for Declaratory Statement filed by Healthy Kids One More Child Foundation. The petition seeks the agency's approval finding that Section 466.003, allows a not-for-profit corporation to offer dental services in schools as a prevention program without the need of utilizing a mobile dental unit. The Board will address this petition at its next meeting.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

FINANCIAL SERVICES SERVICES

OIR – Insurance Regulation

NOTICE IS HEREBY GIVEN that the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by Warranty Solutions Administrative Services, Inc. on January 8, 2013. The following is a summary of the agency's disposition of the petition: the Office has determined that the Petitioner's proposed flexible rating program would still violate Section 634.282(6), Florida Statutes, and other applicable provisions of Chapter 634, Part I, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Catharine Schoenecker at catharine.schoenecker@flor.com.

Please refer all comments to Catharine Schoenecker, catharine.schoenecker@flor.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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Call for Business Plans

The Florida Park Service is seeking concession operations at four (4) Florida State Parks in the Gasparilla Island/Charlotte Harbor Area. Mandatory on-site meetings April 22, 2013 and April 23, 2013. More info at tinyurl.com/fpsConcessions.

Section XII
Miscellaneous

DEPARTMENT OF TRANSPORTATION

New Private Use Aviation Facility – Mercy Hospital

The Florida Department of Transportation intends to issue an “Airport Site Approval Order,” in accordance with Chapter 330, Florida Statutes, “Regulation of Aircraft, Pilots, and Airports” and Chapter 14-60, Florida Administrative Code, “Airport Licensing, Registration, and Airspace Protection” for the following site:

Mercy Hospital, a private airport, in Miami-Dade County, at Latitude 25° 44' 19.28" and Longitude 80° 12' 51.72", to be owned and operated by Hospital Corporation of America, 3663 South Miami Avenue Miami, FL 33133.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4514; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the May 15, 2013 application filing date for Other Beds and Programs batching cycle:

County: Manatee District: 6-2
 Date Filed: April 15, 2013 LOI #: N1304001
 Applicant/Facility: Greenbriar NH, LLC/Greenbriar Rehabilitation & Nursing Center

Project Description: Add up to 21 community nursing home beds by delicensure of up to 21 beds from an existing facility in same subdistrict.

County: Hillsborough District: 6A
 Date Filed: April 15, 2013 LOI #: N1304002
 Applicant: LifePath Hospice, Inc.

Project Description: Establish an eight-bed inpatient hospice facility

County: Charlotte District: 8A
 Date Filed: April 15, 2013 LOI #: N1304003
 Applicant: Tidewell Hospice, Inc.

Project Description: Establish a seven-bed inpatient hospice facility.

County: Desoto District: 8A
 Date Filed: April 15, 2013 LOI #: N1304004
 Applicant: Tidewell Hospice, Inc.

Project Description: Establish an eight-bed inpatient hospice facility.

County: Lee District: 8C
 Date Filed: April 15, 2013 LOI #: N1304005
 Applicant: Hope Hospice and Community Services, Inc.

Project Description: Establish an inpatient hospice facility of up to 24 beds.

County: Palm Beach District: 9C
 Date Filed: April 15, 2013 LOI #: N1304006
 Applicant: Vitas Healthcare Corporation of Florida

Project Description: Establish an eight-bed inpatient hospice facility.

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after June 19, 2013, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on May 22, 2013.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces that during the public meeting that is being held on Tuesday, April 23, 2013 at 1:30 p.m., there will also be a private,

attorney-client session during which settlement negotiations or strategy related to litigation expenditures will be discussed. The following people are expected to attend the attorney-client session:

- Gilbert Singer, Commission Chairman
- Mario Valle, Commission Vice Chairman
- Gayle Cannon, Commissioner
- Donna Elam, Commissioner
- Michael Keller, Commissioner
- Michell Long, Commissioner
- Billy Whitefox Stall, Commissioner
- Michelle Wilson, Executive Director
- Cheyenne Costilla, Acting General Counsel
- Michael Spellman, Esquire
- Lindsey Dunn, Esquire
- Damon Kitchen, Esquire
- Ray Poole, Esquire

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the applications listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Walton County and the City of Panama City. These applications are being processed and are available for public inspection during normal business hours, 8am to 5pm, Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed

applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400

DEPARTMENT OF HEALTH

Emergency Action

On April 15, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of William Scott Fahner, CRT, Certificate # CRT 5033. 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

Emergency Action

On April 15, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dino Jose Antonioni, R.Ph., License # PS 38504. 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 Psychology

Emergency Action

On April 15, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lance Craig Pulver, Ph.D., License # PY 5135. 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.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

HCAA ConRAC and APM – Design and Construction

HILLSBOROUGH COUNTY AVIATION AUTHORITY
(AUTHORITY)

Request for Qualifications

Solicitation Number 13-411-001

Project Numbers 1100 13, 1105 14 and 8700 14

Sealed qualifications for the Consolidated Rental Car Facility and Automated People Mover system will be received from design-build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Airport Business, Active Solicitations on Wednesday April 10, 2013 by 5:00 p.m.

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.
