

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: RULE TITLE:

1T-1.001 Division of Cultural Affairs

PURPOSE AND EFFECT: The purpose of this amendment is to correct terms in the rule relative to “Trust Agreement,” since the agreement is now an “Endowment Agreement.” The amendment also assigns numbers to the following forms: 1) Notice of Investment Requirements and 2) Investment Plan.

SUBJECT AREA TO BE ADDRESSED: Cultural Endowment Program grant award agreement, definitions, audit language, reporting requirements, and grant administration.

RULEMAKING AUTHORITY: 265.284(5)(d), 265.285(1)(c), 265.286(1), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.285, 265.286, 265.701, 286.011, 286.012, 286.25 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: August 22, 2014, 11:00 a.m.

PLACE: R.A. Gray Building 500 South Bronough Street, Room 307, Tallahassee, FL 32399

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: Brandy Hedges, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6127, Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elsie Rogers, Division of Cultural Affairs, 500 South Bronough Street, Tallahassee, FL 32399

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.006 Elevator Fees; Permits; Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement

PURPOSE AND EFFECT: To capture compliance with ASME A17.7 with permit applications, clarify elevator cab changes requiring an alteration permit, require an inspection to close an alteration permit, and adopt updated forms.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address documentation required by DBPR HR-7023, Affidavit of Elevator Plans Code Compliance, types of work requiring an alteration permit, alteration permit inspections, and forms adopted by reference.

RULEMAKING AUTHORITY: 399.02, 399.03, 399.07(1), 399.10 FS.

LAW IMPLEMENTED: 399.03, 399.061, 399.07 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399, DHR.Rules@myfloridalicense.com, (850)488-1133

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NOS.: RULE TITLES:

64B6-4.003 Initial Licensure Fee
 64B6-4.004 Biennial Renewal Fee for Active License

PURPOSE AND EFFECT: The Board proposes the rule amendments to change the initial licensure fee and the biennial renewal licensure fee.

SUBJECT AREA TO BE ADDRESSED: Licensure fees.

RULEMAKING AUTHORITY: 456.013(2), 456.017, 456.025(1), 484.044, 484.0447(4), (6) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 484.0447(4), (6), 484.047(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3257, (850)245-4474

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

Section II Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-20.014 Gold Seal Quality Care Program

PURPOSE AND EFFECT: Chapter 2010-210, s.7, Laws of Florida, amended Section 402.281(2), Florida Statutes, to require the department to adopt rules to establish Gold Seal Quality Care accreditation standards for child care facilities. Chapter 2010-210, s. 7, Laws of Florida, also amended Section 402.281(5), Florida Statutes, to require the department to adopt rules for approving accrediting associations for participation in Gold Seal Quality Care Program.

SUMMARY: The proposed rule will require minimum standards for child care providers seeking Gold Seal designation and establish minimum standards and an approval process for accrediting associations participating in the Gold Seal Quality Care Program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule language is cost neutral to providers for the purpose of licensure as participation in the Gold Seal Quality Care Program is voluntary for child care providers. The approved accrediting associations assess their own fees, and these fees are not governed by the department. Gold Seal designation is granted to providers who become accredited by an approved association and submit a request to the department to participate in the Gold Seal program. The Gold Seal designation certification issued by the department is free of charge. Gold Seal Quality Care facilities/homes are often reimbursed at a higher rate for School Readiness children and are also eligible for tax exemptions.

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: 402.281 FS.

LAW IMPLEMENTED: Chapter 2010-210, s.7, Laws of Florida.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: Hearing 1: September 3, 2014, 11:00 a.m. – 1:00 p.m.

Hearing 2: September 9, 2014, 11:00 a.m. – 1:00 p.m.

PLACES: Hearing 1: Hiawassee Branch of the Orange County Library, 7391 W. Colonial Drive, Orlando, FL 32818

Hearing 2: Bay County Public Library, Northwest Regional Library System, 898 W. 11th Street, Panama City, FL 32412-0625

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: Dinah Davis, Child Care Regulation and Background Screening Program Office, 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900. 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: Dinah Davis, Child Care Regulation and Background Screening Program Office; 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-20.014 Gold Seal Quality Care Program.

(1) Definitions.

(a) Gold Seal Quality Care Provider ~~means refers to a department-regulated child care program that meets the accreditation and compliance requirements in is accredited by a nationally recognized accrediting association pursuant to Section 402.281(1), F.S.~~

1. ~~“Effective” refers to the beginning date of a Gold Seal Quality Care provider’s designation certificate issued by the Child Care Program Office.~~

2. ~~“Expired” refers to the end date of a provider’s Gold Seal Quality Care designation certificate issued by the Child Care Program Office.~~

(b) ~~“Gold Seal Quality Care Accrediting Association” means refers to an accrediting association that has applied to for and been approved by the department as an accrediting association for the purpose of Gold Seal designation pursuant to Section 402.281(3), F.S.~~

1. ~~“Active” refers to the status of a Gold Seal Quality Care Accrediting Association that has met all the criteria for accreditation and has been designated a Gold Seal Quality Care Accrediting Association by the department.~~

2. ~~“Inactive” refers to the status of a Gold Seal Quality Care Accrediting Association in which all criteria for accreditation are no longer being successfully met or where an entity has failed to renew its active designation.~~

3. ~~“Nationally Recognized” refers to an association whose accrediting body is recognized and is actively issuing accreditation certificates in at least five states at the time of approval.~~

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation Certificate.

~~A department-regulated Pursuant to Section 402.281(1), F.S., family day care homes or and large family child care homes program seeking to obtain designation as a Gold Seal Quality Care provider shall apply to the department on form CF-FSP Form 5386, February 2014, Gold Seal Quality Care Provider Application, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the department’s website at www.myflorida.com/childcare or from the following link []. Once reviewed and approved by the department, the designation will be issued in the name of the provider. The designation will be effective the date approved by the department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.~~

(b) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting association certificate required by CF-FSP Form 5386 must be the same as that on the provider’s license provide the department with documentation of accreditation by an accrediting association that has been approved by the department. Acceptance of the documentation is subject to verification by the issuing accrediting association. A list of approved accrediting associations may be obtained from the department’s website at www.myflorida.com/childcare .

2. Have a minimum standards compliance history which satisfies the criteria in Section 402.281(4), F.S.

3. To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. Failure to submit the CF-FSP Form 5386 timely may result in a lapse in Gold Seal designation.

~~(c)(b)~~ Gold Seal Quality Care Enforcement.

1. Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their a Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider’s family day care home’s Gold Seal designation will be terminated upon expiration of accreditation, or when surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider’s accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a family day care home must meet the additional criteria outlined in Section 402.281(3), F.S.

2. A provider’s Gold Seal designation will be terminated if the department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination. If a provider’s Gold Seal Quality Care designation is revoked by the department, the Gold Seal Quality Care designation will be terminated effective on the date of revocation.

3. In the event a Gold Seal accrediting association loses its status as an approved accrediting entity, the department will notify Gold Seal providers accredited by that association. The department will afford affected providers a maximum of 180 days from the date of notification, to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The department will terminate the Gold Seal designation of any provider not accredited by an approved accrediting association at the conclusion of the 180 day period. If a provider’s accreditation is revoked by the

~~accrediting association, termination of the provider's Gold Seal Quality Care designation by the department will be effective on the date of revocation.~~

~~4. If a provider receives accreditation from an inactive accrediting association, it shall not be recognized as a Gold Seal Quality Care Provider.~~

(3) Gold Seal Quality Care Accrediting Association Requirements.

(a) ~~An~~ Accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the department.

2. Hold an active corporation registered with the Florida Department of State to do business in Florida, ~~complete and attest to the requirements referenced on CF-FSP Form 5315, March 2009,~~

3. Submit and meet all requirements outlined on the Gold Seal Quality Care Accrediting Association Application, CF-FSP Form 5315, February 2014, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

4. Submit a crosswalk of the accrediting association's standards with the department's Gold Seal Quality Standards.

~~(b) Applications will be ~~are~~ accepted only in ~~during the months of~~ January and July ~~each year~~. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial. ~~Denial of an application requires a minimum of a six-month waiting period from the date of denial before re-submission during the next scheduled acceptance month.~~~~

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall score of 85% or better in each of the categories outlined on form CF-FSP 5390, February 2014, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, this form is incorporated by reference and a copy may be obtained from the department's website www.myflorida.com/childcare or from the following link []. The department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures document, which is incorporated by reference and may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

(d) The department's Gold Seal Quality Care Standards are established in CF-FSP Form 5388, February 2014, Gold Seal Quality Care Standards for Family Day Care Homes and Large Family Child Care Programs, which is incorporated by reference and may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred the supporting documentation of the change must accompany the Attestation.

~~(g)(b)~~ The department may revoke a Gold Seal Quality Care Accrediting Association's ~~approval active status~~ for:

1. Failure to notify the department of a change in the association's administration, corporate structure ~~operation~~ or any condition under which the accreditation association was initially approved by the department

2. Any as a Gold Seal Quality Care Accrediting Association, if such changes result in the association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal accrediting association which revokes the accreditation of a child care provider in Florida must notify the department, in writing, within fifteen days of the revocation. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

~~(i)(e)~~ Active Gold Seal Quality Care Associations must ~~re-~~ apply to renew approval ~~every five years~~ by submitting CF-FSP Form 5315 that may be obtained from the department's website at www.myflorida.com/childcare. ~~Re-applications must be received~~ a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to October 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to receive its next five-year approval.

(j) An accrediting association approved under this rule must notify the department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An accrediting association approved by the department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including, but not limited to, affiliated groups, and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

~~Failure to submit CF FSP Form 5315 every five years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association.~~

~~(d) Inactive Gold Seal Quality Care Accrediting Associations seeking to renew their active status must be in compliance with all requirements outlined on CF FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending department's approval.~~

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History--New 5-1-08, Amended 1-13-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Russo, Director, Child Care Regulation and Background Screening

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 11, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.009 Gold Seal Quality Care Program

PURPOSE AND EFFECT: Chapter 2010-210, s.7, Laws of Florida, amended Section 402.281(2), Florida Statutes, to require the department to adopt rules that establish Gold Seal Quality Care accreditation standards for child care facilities. Chapter 2010-210, s. 7, Laws of Florida, also amended Section 402.281(5), Florida Statutes, to require the department to adopt rules for approving accrediting associations for participation in Gold Seal Quality Care Program.

SUMMARY: The proposed rule will require minimum standards for child care providers seeking Gold Seal designation and establish the approval process for accrediting associations participating in the Gold Seal Quality Care Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will 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 been prepared by the Agency.

The Agency has prepared a statement of estimated regulatory costs (SERC) for this rule. The Department anticipates license-exempt child care providers who are currently Gold Seal designated and who wish to maintain the designation will experience direct regulatory costs in the form of the Department or local licensing agency licensing fee, and indirect regulatory costs in the form of staff training and credentialing to meet licensing standards for child care personnel. The proposed rule does not increase regulatory costs for other child care providers because participation in Gold Seal designation is voluntary and does not impact licensure. The approved accrediting associations which accredit Gold Seal providers assess their own fees independent of the Department or Department rule. The Department issues Gold Seal designations at no cost to providers that meet the criteria in Section 402.281, Florida Statutes. Gold Seal designated programs may be reimbursed at a higher rate under Voluntary Pre-K and/or School Readiness programs, and may be eligible for tax exemptions, but the Department is not involved in the administration of those programs.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department does not estimate direct and indirect regulatory costs related to the rule will exceed \$1 million in the aggregate within five years. A copy of the SERC is available from the contact person for this rule identified below.

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: 402.281 FS.

LAW IMPLEMENTED: Chapter 2010-210, s.7, Laws of Florida.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: Hearing 1: September 3, 2014, 11:00 a.m. – 1:00 p.m.

Hearing 2: September 9, 2014, 11:00 a.m. – 1:00 p.m.

PLACES: Hearing 1: Hiawassee Branch of the Orange County Library, 7391 W. Colonial Drive, Orlando, FL 32818

Hearing 2: Bay County Public Library, Northwest Regional Library System, 898 W. 11th Street, Panama City, FL 32412-0625

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: Dinah Davis, Child Care Regulation and Background Screening Program Office, 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900. 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: Dinah Davis, Child Care Regulation and Background Screening Program Office; 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-22.009 Gold Seal Quality Care Program.

(1) Definitions.

(a) Gold Seal Quality Care Provider ~~means~~ refers to a child care program regulated by the Department or a local licensing authority that meets the accreditation and compliance requirements in ~~is accredited by a nationally recognized accrediting association pursuant to Section 402.281(4), F.S.~~

(b) ~~“Effective” refers to the beginning date of a Gold Seal Quality Care provider’s designation certificate issued by the Child Care Program Office.~~

(c) ~~“Expired” refers to the end date of a provider’s Gold Seal Quality Care designation certificate issued by the Child Care Program Office.~~

(b)(4) ~~“Gold Seal Quality Care Accrediting Association” means an~~ refers to an accrediting association that has applied ~~to~~ for and been approved by the department as an accrediting association for the purpose of Gold Seal designation pursuant to Section 402.281(3), F.S.

1. ~~“Active” refers to the status of a Gold Seal Quality Care Accrediting Association that has met all criteria for accreditation and has been designated a Gold Seal Quality Care Accrediting Association by the department.~~

2. ~~“Inactive” refers to the status of a Gold Seal Quality Care Accrediting Association in which all criteria for accreditation are no longer being successfully met or where an entity has failed to renew its active designation.~~

3. ~~“Nationally Recognized” refers to an association whose accrediting body is recognized and is actively issuing accreditation certificates in at least five states.~~

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation Certificate.

A licensed Pursuant to Section 402.281(1), F.S., a child care program facility seeking to obtain a designation as a Gold Seal Quality Care provider shall apply to the department on form CF-FSP Form 5386, February 2014, Gold Seal Quality Care Provider Application, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the department’s website at www.myflorida.com/childcare or from the following link []. Once reviewed and approved by the department, the designation will be issued in the name of the provider. The designation will be effective the date approved by the department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting association certificate required by form CF-FSP Form 5386, must be the same as on the provider’s license provide the department with documentation of accreditation by an accrediting association that has been approved by the department. Acceptance of the documentation is subject to verification by the issuing accrediting association. A list of approved accrediting associations may be obtained from the department’s website at www.myflorida.com/childcare.

2. Have a minimum standards compliance history which satisfies the criteria in Section 402.281(4), F.S.

(c) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. Failure to submit the CF-FSP Form 5386 timely may result in a lapse in Gold Seal designation.

(3)(b) Gold Seal Quality Care Enforcement.

(a) ~~Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their~~ a Gold Seal Quality Care Accrediting Association in

order to retain their designation. A provider's facility's Gold Seal designation will be terminated upon expiration of accreditation, or when accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a child care facility must meet the additional criteria outlined in Section 402.281(3), F.S.

~~(b)2-~~ A provider's Gold Seal designation will be terminated if the department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination. The effective date of a termination of a provider's Gold Seal Quality Care designation is the date of the department's written notification to the provider.

~~(c)3-~~ In the event a Gold Seal accrediting association loses its status as an approved accrediting entity, the department will notify Gold Seal providers accredited by that association. The department will afford affected providers a maximum of 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The department will terminate the Gold Seal designation of any provider not accredited by an approved accrediting association at the conclusion of the 180-day period. If a provider receives accreditation from an inactive accrediting association, it shall not be recognized as a Gold Seal Quality Care Provider.

(d) License-exempt child care facilities which are Gold Seal designated as of the effective date of the 2014 amendment to this rule will have one year from the effective date to become licensed in order to maintain Gold Seal designation.

~~(4)3-~~ Gold Seal Quality Care Accrediting Association Requirements.

(a) An accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the department.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida, complete and attest to the requirements referenced on CF FSP Form 5315, March 2009,

3. Submit and meet all requirements outlined on the Gold Seal Quality Care Accrediting Association Application, CF-FSP Form 5315, February 2014, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

4. Submit a crosswalk of the accrediting association's standards with the department's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial. Denial of an application requires a minimum of a six-month waiting period from the date of denial before re-submission during the next scheduled acceptance month.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall score of 85% or better on form CF-FSP 5389, February 2014, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities. This form is incorporated by reference and a copy may be obtained from the department's website www.myflorida.com/childcare or from the following link []. The department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures document, which is incorporated by reference and may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

(d) The department's Gold Seal Quality Care Standards are established in CF-FSP Form 5387, February 2014, Gold Seal Quality Care Standards for Child Care Programs, which is incorporated by reference and may be obtained from the department's website at www.myflorida.com/childcare or from the following link [].

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

~~(g)1-~~ The department may revoke a Gold Seal Quality Care Accrediting Association's approval active status for:

1. Failure to notify the department of a change in the association's administration, corporate structure operation or any condition under which the accreditation association was initially approved by the department.

2. Any as a Gold Seal Quality Care Accrediting Association, if such changes results in the association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal accrediting association must notify the department, in writing, within fifteen days of a revocation or expiration of the accreditation of a child care provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

~~(i)(c) Active Gold Seal Quality Care Associations must re-apply to renew approval every five years by submitting CF-FSP Form 5315 that may be obtained from the department's website at www.myflorida.com/childcare. Re applications must be received a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to October 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to receive its next five-year approval.~~

(j) An accrediting association approved under this rule must notify the department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An accrediting association approved by the department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including, but not limited to, affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation. Failure to submit CF FSP Form 5315 every five years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association.

~~(d) Inactive Gold Seal Quality Care Accrediting Associations seeking to renew their active status must be in compliance with all requirements outlined on CF FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending department's approval.~~

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History--New 5-1-08, Amended 1-13-10, 8-1-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Russo, Director, Child Care Regulation and Background Screening

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 10, 2013

Section III Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:

59A-5.002	Definitions
59A-5.003	Licensure Procedure
59A-5.004	Validation, Licensure, & Life Safety Inspections and Complaint Investigations
59A-5.005	Governing Body
59A-5.0085	Departments and Services
59A-5.012	Medical Records
59A-5.018	Comprehensive Emergency Management Plan

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40, No. 76, April 18, 2014 issue of the Florida Administrative Register.

The following sections of the proposed rule will be changed to read:

59A-5.0085 Departments and Services.

(1) through (2) No change.

~~(a) An anesthesiologist, credentialed and privileged physician, or certified registered nurse anesthetist, shall be responsible for coordinating and supervising all anesthesia services.~~

(b) through (g) renumbered (a) through (f) No change.

(3) through (6) No change.

Rulemaking Authority and Law Implemented no change to proposed.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-15.002 Certified Nursing Assistant Authorized Duties

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that the following correction has been made to the proposed rule published in Vol. 40, No. 143, July 24, 2014, issue of the Florida Administrative Register. Adding "464.202" in the "Law Implemented" sections.

THE PERSON TO BE CONTACTED REGARDING THE RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, (850)245-4125.

**Section IV
Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Keller Williams Building, filed July 24, 2014, and advertised on July 25, 2014, in Vol. 40, No. 144, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-265).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from Publix Pharmacy, filed July 14, 2014, and advertised on July 16, 2014, in Vol. 40, No. 137, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-236).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from LeCiel Condo, filed June 9, 2014, and advertised on June 17, 2014, in Vol. 40, No. 117, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 101.2a ASME A17.1, 1983 edition, and Rule 2.7.1.2 ASME A17.1b 2009 edition and Rule 2.2.1 ASME A17.3 1996 edition as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires enclosures, non-fire-resistive construction and equipment in machine room, equipment permitted in machinery and control spaces within the machine room because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-196).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Ernie Palmer Toyota Scion, filed July 24, 2014, and advertised on July 25, 2014, in Vol. 40, No. 144, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.19.4.1, 3.19.4.4, 3.19.4.5, and 3.26.8 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators shutoff valve, manual lowering valve, pressure gauge fittings and pressure switch (Endura design) because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-264).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Pointe Towers Condominium, filed July 17, 2014, and advertised on July 23, 2014, in Vol. 40, No. 142, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 61C-5.025, Florida Administrative Code, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators hydraulic supply shut-off valve because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer

a substantial hardship if required to comply with this rule (VW2014-254).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 5, 2014, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Century Link, filed July 23, 2014, and advertised on July 25, 2014, in Vol. 40, No. 144, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1b, 1980 edition, and Rule 3.10.4(u) ASME A17.3 1996 edition as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators shut-off valves and stop switch because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-263).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on August 6, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Steinmart Office Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-281).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on August 5, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Main Street Professional. Petitioner seeks an emergency variance of the requirements of ASME A17.1 Section 101.2b as adopted by subsection 61C-5.001(1), Florida Administrative Code, that relates to equipment prohibited in machine room which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-280).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 6, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Floridan Palace Hotel, filed May 22, 2014, and advertised on May 27, 2014, in Vol. 40, No. 102, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from an unspecified section and edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators operations because the Petitioner did not provide the necessary information to make an informed decision, and the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-149).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On August 6, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Ever Bank Stadium, filed July 3, 2014, and advertised on July 15, 2014, in Vol. 40, No. 136, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 837, ASME A17.1, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators operations because Petitioner did not provide specific information to make an informed decision and the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-232).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on September 30, 2013, by Jenny Hernandez. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 213, of the October 31, 2013, Florida Administrative Register. Petitioner sought a waiver or variance of Rules 64B7-32.002 and 64B7-32.003 F.A.C. The Petitioner seeks waiver of proof of graduation as Petitioner has exceeded the credit hour requirements. At the duly-noticed public meeting held on October 24, 2013, in Sarasota, Florida, the Petitioner requested to withdraw her application.

The Board's Order, filed on November 6, 2013, approved the withdrawal of the application. The Petition for Variance or Waiver is dismissed as moot because the application was withdrawn.

A copy of the Order or additional information may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on May 12, 2014, by Clifford David Johnson. The Notice of Petition for Waiver or Variance was published in Vol. 40, No. 93, of the May 13, 2014, Florida Administrative Register. The Petitioner sought a variance or waiver of the rule requiring that transcripts be submitted from the massage therapy school he attended in order to be licensed in Florida. The Board considered the instant Petition at a duly-noticed public meeting held on July 25, 2014, in Tampa, Florida.

The Board's Order, filed on August 1, 2014, denied the Petition for Variance or Waiver because the Petition was not in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code.

A copy of the Order or additional information may be obtained by contacting Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Variance or Waiver filed on July 8, 2014, by Kayla Rosen. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 133, of the July 10, 2014, Florida Administrative Register. The Petitioner sought a waiver of 64B7-32.002, F.A.C., from the Board regarding the proof of graduation from an approved massage school. The Board considered the instant Petition at a duly-noticed public meeting held on July 25, 2014, in Tampa, Florida. The Board's Order, filed on August 1, 2014, granted the petition on the following grounds:

1. The petition was in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code.
2. The Board found that the applicant had met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06,

Tallahassee, Florida 32399-3256, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-5.502 General Requirements

NOTICE IS HEREBY GIVEN that on July 28, 2014, the Department of Health, Bureau of Radiation Control, received a petition for the Gadsden County Sheriff's Office. The petitioner is seeking a waiver from subparagraph 64E-5.502(1)(a)6, F.A.C., which prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Yvette Forrest, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Orange Park, FL 32073 or (904)278-5730. Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-5.502 General Requirements

NOTICE IS HEREBY GIVEN that on July 30, 2014, the Department of Health, Bureau of Radiation Control, received a petition for the Monroe County Sheriff's Office. The petitioner is seeking a waiver from subparagraph 64E-5.502(1)(a)6, F.A.C., which prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Yvette Forrest, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Orange Park, FL 32073 or (904)278-5730. Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces public meetings to which all persons are invited.

DATE AND TIMES: Thursday, August 14, 2014, 2:00 p.m., 4:00 p.m., 5:00 p.m.

PLACE: Holiday Inn and Suites, 3600 SW 38th Avenue, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2:00 p.m.: Building Committee meeting; 4:00 p.m.: Strategic Planning Committee meeting; 5:00 p.m.: Board of Directors meeting.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger at (352)307-6699 or email: events@flhorsepark.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 2 days before the workshop/meeting by contacting: EllenMarie Ettenger at (352)307-6699 or email: events@flhorsepark.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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 26, 2014, 1:00 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Players Room B & C, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Forest Service Programs.

A copy of the agenda may be obtained by contacting: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone: (850)681-5800.

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: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone: (850)681-5800. 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: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone: (850)681-5800.

DEPARTMENT OF LAW ENFORCEMENT

The Florida Department of Law Enforcement announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 8, 2014, 12:00 Noon – 2:00 p.m.

PLACE: Florida State Capitol Building, 22nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly Missing Endangered Persons Information Clearinghouse Advisory Board (MEPICAB) formal meeting.

A copy of the agenda may be obtained by contacting: Ms. Debbie Payne at 1(888)356-4774.

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. Debbie Payne at 1(888)356-4774. 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: Ms. Debbie Payne or Gwen Johnson at 1(888)356-4774.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2014, 10:00 a.m.

PLACE: Madison County Emergency Operations Center, 1083 Southwest Harvey Greene Drive, Madison, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67 Place, Gainesville, FL 32653.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2014, 1:00 p.m.
 PLACE: Madison County Emergency Operations Center, 1083 Southwest Harvey Greene Drive, Madison, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board. A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67 Place, Gainesville, Florida 32653-1603. 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 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology
 The Board of Cosmetology announces a telephone conference call to which all persons are invited.
 DATE AND TIME: September 4, 2014, 3:00 p.m.
 PLACE: Conference number: 1(888)670-3525, participant code: 8492079683#
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.
 A copy of the agenda may be obtained by contacting: Board of Cosmetology, 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: Board of Cosmetology, 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: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance
 The Florida Department of Health, Division of Medical Quality Assurance announces a public meeting to which all persons are invited.
 DATE AND TIME: Wednesday, September 10, 2014, 8:30 a.m.
 PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, FL 32304
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to review the long-range policy planning and monitoring process with the board/council chairs and/or vice chairs, as required by section 456.005, F.S., and with the health care associations, to include recommendations specific to each profession.
 A copy of the agenda may be obtained by contacting: Erica Milam, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.
 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: Erica Milam, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253, (850)245-4079. 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).

DEPARTMENT OF HEALTH

Board of Medicine
 The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.
 DATE AND TIME: Friday, August 29, 2014, 2:00 p.m.
 PLACE: 1(888)670-3525, participation code: 125-528-7056
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.
 A copy of the agenda may be obtained by contacting: Precious Woods at (850)245-4444, ext. 8215, Precious.Woods@flhealth.gov or Landrick Atkins at (850)245-4444, ext. 8220, Landrick.Atkins@flhealth.gov.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Precious Woods at (850)245-4444, ext. 8215, Precious.Woods@flhealth.gov or Landrick Atkins at (850)245-4444, ext. 8220, Landrick.Atkins@flhealth.gov. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Precious Woods at (850)245-4444, ext. 8215, Precious.Woods@flhealth.gov or Landrick Atkins at (850)245-4444, ext. 8220, Landrick.Atkins@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness**

The Office on Homelessness announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 7, 2014, 10:00 a.m.

PLACE: Conference call, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
CANCELLED CONFERENCE CALL.

For more information, you may contact: Erik Braun, Office on Homelessness, (850)922-9850.

**FLORIDA HEALTH MAINTENANCE ORGANIZATION
CONSUMER ASSISTANCE PLAN**

The Florida Health Maintenance Organization Consumer Assistance Plan announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 22, 2014, 2:00 p.m.

PLACE: Hilton Orlando Bonnet Creek, 14100 Bonnet Creek Resort Lane, Orlando, FL 32821

You may also attend by telephone: 1(877)434-2293, passcode: 8504251634

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Annual Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Terri Jay at (850)425-1628 or Terri.Jay@akerman.com. The agenda will also be available at <http://www.flhmocap.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 7 days before the workshop/meeting by contacting: Terri Jay. 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: Terri Jay at Terri.Jay@akerman.com.

**NORTHWEST FLORIDA TRANSPORTATION CORRIDOR
AUTHORITY**

The Northwest Florida Transportation Corridor Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2014, 10:00 a.m.

PLACE: Destin Wine Bar, 4424 Commons Drive East, Suite E3, Destin, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: a
Financial Committee meeting.

A copy of the agenda may be obtained by contacting: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.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 48 hours before the workshop/meeting by contacting: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia Stephen at (850)429-8905 or alicia.stephen@hdrinc.com.

FLORIDA LEAGUE OF CITIES

The Florida League of Cities announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 19, 2014, 8:00 a.m.

PLACE: Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Florida Municipal Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, FL 33706, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

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 14 days before the workshop/meeting by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684. 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: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida League of Cities announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 18, 2014, 2:00 p.m.

PLACE: Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Construction Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, FL 33706, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

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 14 days before the workshop/meeting by contacting: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684. 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: Linda Bridges, email: lbridges@flcities.com or call (850)222-9684.

WALTON COUNTY HEALTH DEPARTMENT

The Walton Community Health Center announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2014, 5:00 p.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board Information.

A copy of the agenda may be obtained by contacting: Denise Flynn.

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: Denise Flynn. 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: Denise Flynn, (850)892-8040, ext. 1190.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announce a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 21, 2014, 10:00 a.m. – 11:30 a.m., EDT

PLACE: Conference call: phone number: 1(800)501-8979, access code: 8784566

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss proposed actions that will assist in preserving, protecting and enhancing Florida’s military installations and missions.

A copy of the agenda may be obtained by contacting: Marcy Sanders, (850)878-4566, msanders@eflorida.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 1 day before the workshop/meeting by contacting: Marcy Sanders. 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: Bruce Grant, (850)878-0826, bgrant@eflorida.com.

Section VII

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

NOTICE IS HEREBY GIVEN that the Department of Agriculture and Consumer Services has received the Petition for Declaratory Statement from Robert Moore, Esq., on behalf of Cherane Pefley. The petition seeks the agency’s opinion as

to the applicability of Section 823.14, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaration that the raising of exotic birds for conservation and the pet trade is agriculture for the purposes of Section 823.14, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Steven L. Hall, Senior Attorney, 407 South Calhoun Street, Suite 520, Tallahassee, Florida 32301 or by email: Steven.Hall@FreshFromFlorida.com.

**Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

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

NONE

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

NONE

**Section XII
Miscellaneous**

NONE

**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.