

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-8.031 RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to revise the established minimum surface water levels for Lake Como, Banana Lake, Little Lake Como, and Lake Trone in Putnam County.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would revise the established minimum surface water levels for Lake Como, Banana Lake, Little Lake Como, and Lake Trone pursuant to the mandate of Section 373.042, Florida Statutes. Each revised surface water level has an associated duration and return interval. The terms herein are already defined in Chapter 40C-8, F.A.C. As with all minimum surface water levels established by the District, if adopted, the minimum surface water levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process. Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

DATE AND TIME: October 22, 2014, 1:30 p.m. – 3:30 p.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, or wgaylord@sjrwmd.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) through (3) No change.

(4) The following minimum surface water levels are established:

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
(a) through (d) No change.							
(e) Banana	Putnam	Frequent High	<u>37.7</u> 38.0	<u>36.8</u> 37.1	Seasonally Flooded	<u>30</u>	<u>3</u>
		Average	<u>36.7</u> 36.2	<u>35.8</u> 35.2	Typically Saturated	<u>180</u>	<u>1.7</u>
		Frequent	<u>33.7</u> 34.4	<u>32.8</u> 33.5	Semipermanently Flooded	<u>120</u>	<u>5</u>
		Low					
(f) through (s) No change.							
(t) Como	Putnam	Frequent High	<u>37.7</u> 38.0	<u>36.8</u> 37.0	Seasonally Flooded	<u>30</u>	<u>3</u>
		Average	<u>36.7</u> 36.2	<u>35.8</u> 35.2	Typically Saturated	<u>180</u>	<u>1.7</u>
		Frequent	<u>33.7</u> 34.4	<u>32.8</u> 33.4	Semipermanently Flooded	<u>120</u>	<u>5</u>
		Low					

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
(u) Como, Little Lake	Putnam	Frequent High	<u>37.7</u> 38.0	<u>36.8</u> 37.0	Seasonally Flooded	<u>30</u>	<u>3</u>
		Average	<u>34.6</u> 36.6	<u>33.7</u> 35.6	Typically Saturated	<u>180</u>	<u>1.7</u>
		Frequent	<u>32.6</u> 35.2	<u>31.7</u> 34.2	Semipermanently Flooded	<u>120</u>	<u>5</u>
		Low					
(v) through (tttt) No change.							
(uuuu) Trone	Putnam	Frequent High	<u>37.1</u> 37.5	<u>36.2</u> 36.6	Seasonally Flooded	<u>30</u>	<u>3</u>
		Average	<u>35.4</u> 35.7	<u>34.5</u> 34.8	Typically Saturated	<u>180</u>	<u>1.7</u>
		Frequent	<u>32.8</u> 34.3	<u>31.9</u> 33.4	Semipermanently Flooded	<u>120</u>	<u>5</u>
		Low					
(vvvv) through (ccccc) No change.							

(5) through (6) No change.
 Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-12-03, 11-10-03, 1-12-04, 2-1-06, 12-3-06, 5-10-07, 5-24-07, 1-11-10, 8-22-13, 4-3-14, _____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
 64B4-6.004 Approval of Continuing Education Providers
 PURPOSE AND EFFECT: The Board proposes the rule amendment to specify documents to be provided for approval of continuing education providers.
 SUBJECT AREA TO BE ADDRESSED: Approval of Continuing Education Providers.
 RULEMAKING AUTHORITY: 491.004(5), 491.0085(1), (3), (4) FS.
 LAW IMPLEMENTED: 491.0085(1) 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

NONE

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-10.083 Standards Relating to Gross Immorality and Acts of Moral Turpitude

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 167, August 27, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-26.351	Standards for Approval of Registered Pharmacy Technician Training Programs
64B16-26.601	Standards for Approval of Courses and Providers
64B16-26.603	Continuing Education Records Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 58, March 25, 2014 issue of the Florida Administrative Register has been withdrawn.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on August 27, 2014, the Construction Industry Licensing Board received a petition for variance or waiver, filed by Richard A. Vannucci. The Petitioner seeks a waiver of the financial responsibility and stability requirements of Rule 61G4-15.006, F.A.C., so he will not be required to obtain the Construction License Irrevocable Letter of Credit. Comments on this petition should be filed with Construction Industry Licensing Board at the address below within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395, or by electronic mail – Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 28, 2014, by Richard R. Green. The Notice of Petition for Waiver or Variance was published in Vol. 40, No. 150, of the August 4, 2014, Florida Administrative Register. Petitioner sought a variance of Rule 61J2-24.003, F.A.C., classifying his violation of Section 475.25(1)(n) and (e), Florida Statutes, and subsection 61J2-2.027(2), F.A.C., to be a minor violation and allowing the violation to be reclassified as inactive.. The Commission considered the instant Petition at a duly-noticed public meeting held on August 19, 2014, in Orlando, Florida.

The Commission’s Order, filed on September 17, 2014, denied the petition because the Petitioner has not demonstrated how he is substantially affected or how the purpose of the underlying statute will be or has been achieved by other means by the Petitioner. In addition, the Petitioner has not shown how application of the rule creates a substantial hardship or violates principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395, or by electronic mail – Lori.Crawford@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on June 27, 2014, by Phyllis K. Moore. The Notice of Petition for Waiver or Variance was published in Vol. 40, No. 130, of the July 7, 2014, Florida Administrative Register. Petitioner sought a waiver of the late fee for the renewal of her license, alleging that she did not receive a bill from the Department of Business and Professional Regulation. The Commission considered the instant Petition at a duly-noticed public meeting held on August 19, 2014, in Orlando, Florida.

The Commission’s Order, filed on September 17, 2014, denied the petition because the Petitioner has not demonstrated how the purpose of the underlying statute will be or has been achieved by other means by the Petitioner. In addition, the Petitioner has not shown how application of the rule creates a substantial hardship or violates principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Juana Watkins, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395, or by electronic mail – Lori.Crawford@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004: Continuing Education

NOTICE IS HEREBY GIVEN that on September 25, 2014, the Board of Chiropractic Medicine received a petition for variance or waiver filed by Deborah Leveen. Although no specific rule is mentioned in the petition, it appears that the Petitioner is seeking a waiver or variance of Rule 64B2-13.004, Florida Administrative Code, which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years. A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Adrienne.Rodgers@flhelath.gov. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.004: Intern Training Agencies.

NOTICE IS HEREBY GIVEN that on September 10, 2014, the Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, received a petition for waiver of certain requirements of subsection 69K-18.004(3), F.A.C. The petition was filed on behalf of Stonemor Florida Subsidiary LLC, which is acquiring certain funeral establishments that are currently training agencies. Stonemor Florida Subsidiary LLC seeks a waiver such that the number of cases done by the prior owner of the funeral establishment should count against the requirement of the cited rule, so that the training agency status of the funeral establishments may be continued, thus preventing the imposition of serious hardship to the interns currently training at the said funeral establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jasmin Richardson at (850)413-3039.

Section VI
Notice of Meetings, Workshops and Public Hearings

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The Wekiva River Basin Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2014, 2:30 p.m.

PLACE: Wekiva Island, 1000 Miami Springs Road, Barr Education Center Meeting Room, Longwood, Florida 32779

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Wekiva River Basin Commission.

A copy of the agenda may be obtained by contacting: Pegge Parker by email at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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: Pegge Parker by email at pparker@ecfrpc.org or (407)262-7772, ext. 300.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2014, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd, Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22, or wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maya Burke, (727)570-5151, ext. 40, or maya@tbrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2014, 5:00 p.m.

PLACE: South Florida Water Management District, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District will be accepting public comments on the 2014 update of the existing Allapattah Flats Management Area Land Management Plan. The draft Management Plan is available for review at www.sfwmd.gov/land.

A copy of the agenda may be obtained by contacting: N/A
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: District Clerk at (561)682-2087. 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: David Foote, SFWMD Land Resources Bureau (561)682-2686.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water – A Regional Water Supply Authority

The Tampa Bay Water announces public meetings to which all persons are invited.

DATES AND TIMES: 2015 Board Meetings: February 16, 2015, 9:00 a.m.; April 20, 2015, 9:00 a.m.; June 15, 2015, 9:00 a.m.; August 17, 2015, 9:00 a.m.; October 19, 2015, 9:00 a.m., and December 14, 2015, 9:00 a.m. unless otherwise set by the Board of Directors.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adopted Board meeting schedule for the Tampa Bay Water Board of Directors.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF HEALTH

Board of Chiropractic

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

DATE AND TIME: Friday, October 31, 2014, commencing at 8:30 a.m.

PLACE: Rosen Plaza – 9700 International Drive, Orlando, FL 32819.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, or by accessing the board's website at: <http://floridaschiropracticmedicine.gov/meeting-information/>.

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 days before the workshop/meeting by contacting: Edith Rogers at edith.rogers@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: Edith Rogers at edith.rogers@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy Compounding Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 6, 2014, 2:00 p.m.

PLACE: Embassy Suites South – LBV, 4955 Kyngs Heath Road, Kissimmee, FL 34746, (407)597-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules associated with the implementation of House Bill 7077, Non-Resident Sterile Compounding Permit & Application, Rule 64B16-27.700, and old business.

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, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: Tuesday, October 7, 2014, 9:00 a.m.

PLACE: Embassy Suites South – LBV, 4955 Kyngs Heath Road, Kissimmee, FL 34746, (407) 597-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Business: Rule 64B16-27.410, Rule 64B16-28.303, Rule 64B16-27.104, F.A.C.; Old Business: 64B16-27.210, Rule 64b16-27.320, Rule 64B16-27.800, and Rule 64B16-27.851, F.A.C.

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, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

The Bureau of Emergency Medical Oversight/EMS Section announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 23, 2014, 10:00 a.m.

PLACE: Teleconference: dial (toll free) 1(877)309-2070; access code: 140-873-365; audio PIN: shown after joining the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: EMS Advisory Council conference call meeting.

A copy of the agenda may be obtained by contacting: Bethany Lowe, by email bethany.lowe@flhealth.gov or by telephone: (850)245-4055.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Refugee Services

The Department of Children and Families, Refugee Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 16, 2014, 4:45 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Title: Reply Opening and Review of Mandatory Requirements for Comprehensive Refugee Services for Refugees and Entrants in Leon County (ITN# 06K14BS1).

Description: As provided for in Sections 2.5 and 2.9 of this ITN which was published to the Vendor Bid System (VBS) on July 10, 2014. The VBS can be accessed at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

The purpose of the Reply Opening and Review of Mandatory Requirements is to ensure prospective Vendors have complied with all Mandatory Requirements as required in Section 5.1 in order to be considered for selection under this ITN.

A copy of the agenda may be obtained by contacting: David_Draper@dcf.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 3 days before the workshop/meeting by contacting: Pamela Thornton, email: Pamela_Thornton@dcf.state.fl.us or (850)717-4567. 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: David_Draper@dcf.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: October 23, 2014, 1:30 p.m. Eastern Time

PLACE: The workshop will be available by telephone or interested parties may attend in person at Florida Housing's offices located at 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed Request for Applications (RFAs) 2014-114 – Housing Credit Financing for Affordable Housing Developments Located in Medium and Small Counties and 2014-115 – Housing Credit Financing for Affordable Housing Developments Located in Large Counties. The call-in information is posted on the Florida Housing websites: <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2014-114/> and <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2014-115/>.

A copy of the agenda may be obtained by contacting: Ken Reecy at (850)488-4197.

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: Jean Salmonsens at (850)488-4197. 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).

NORTH FLORIDA BROADBAND AUTHORITY

The North Florida Broadband Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2014, 10:00 a.m.

PLACE: City Hall, 205 N. Marion Ave., Lake City, FL 32055

GENERAL SUBJECT MATTER TO BE CONSIDERED: The North Florida Broadband Authority (NFBA) Board of Directors announces that a regular monthly meeting will be held on Wednesday, September 17, 2014, and all interested persons are invited. The NFBA is a public body created by Interlocal Agreement pursuant to Section 163.01, Florida Statutes. The Board will address general policy and operational matters of the NFBA.

A copy of the agenda may be obtained by contacting: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909.

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: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909. 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: Chris Howlett, Springfield Law PA, Chris@SpringfieldLawPA.com, (352)371-9909.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority announces a workshop to which all persons are invited.

DATE AND TIME: Monday, October 6, 2014, 8:30 a.m.

PLACE: 412 West Orange Street, Room 102, Wauchula, Florida 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss Incubator Policies & Procedures and the EDA Process. A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that The Department of Business & Professional Regulation, Division of Drugs, Devices, and Cosmetics has issued an order disposing of the petition for declaratory statement filed by Michael J. Glazer, Ausley McMullen, Post Office Box 391, 123 South Calhoun Street, Tallahassee, Florida 32301, on behalf of H.D. Smith Wholesale Drug Company. on September 18, 2014. The following is a summary of the agency's disposition of the petition:

The Petitioner is substantially affected by the statutes and rules cited in paragraphs 11A-G above and has standing to seek a declaratory statement from the department. The Department is authorized to enforce the provisions of Chapter 499, Florida Statutes, and the administrative rules adopted pursuant to the statute. Prior to November 27, 2013, the provisions of Chapter 499, Florida Statutes and of the Florida Administrative Code cited in paragraphs 11A-G above, were interpreted by the Department to require a prescription drug pedigree to be provided by the wholesale distributor prior to or simultaneously with the distribution of a prescription drug; the pedigree had to include the information enumerated in the statute; the pedigree paper had to be authenticated in one or more of the ways set forth in paragraph 61N-1.013(5)(d), Florida Administrative Code; electronic pedigrees had to be authenticated according to that rule; if a pedigree could not be authenticated, the prescription drugs had to be quarantined and the Department notified; returns of drugs from a pharmacy, health care entity or licensed health care practitioner that were the result of a mistake in ordering or shipment need not be included in a pedigree; returns not in that category had to be included in a pedigree and had to otherwise comply with paragraph 61N-1.012(3)(f), Florida Administrative Code. Effective November 27, 2013, the Drug Quality and Security Act (DQSA) was signed into law. The Act is comprised of Title I, the Compounding Quality Act, and Title II, the Drug Supply Chain Security Act. The DQSA

Title II requires a uniform national system for tracking and tracing prescription drugs through the supply chain, and a uniform licensing system for prescription drug wholesale distributors, repackagers, and third party logistics providers. The Act applies to human finished dosage forms of prescription drugs only. The DQSA contains preemption language regarding tracking and tracing prescription drugs through the supply chain and regarding licensing of prescription drug manufacturers, wholesale distributors, and third party logistics providers. Currently, wholesale distributors are still required to obtain a permit from the Department to operate in this state, and to be in compliance with federal law. See, Sections 582-585, Drug Quality and Security Act. The preemption language in Section 585 of the Act as cited in paragraph 12 above, makes it clear that states may not establish or continue in effect any requirement for tracing products through the distribution system (including any requirement with respect to statements of distribution history, transaction history, transaction information, or transaction statement of a product as the product changes ownership in the supply chain, or verification, investigation, disposition, notification or recordkeeping relating to such systems, including paper or electronic pedigree systems or for tracking and tracing drugs throughout the distribution system) which are inconsistent with, more stringent than, or in addition to, any requirements applicable under section 503(e) (as amended by such Act). The Department has previously taken the position that the Florida pedigree requirements are preempted by the federal law. See, Declaratory Statement, In Re Petition for Declaratory Statement, Publix Supermarkets, Inc., Petitioner, Declaratory Statement Case Number DS2014-007. The DQSA does not have any specific references to or provisions requiring authentication. The Department takes the position that the Florida requirements for authentication are inconsistent with, more stringent than or in addition to the requirements in the amended federal law, and are preempted. With respect to returns, the provisions of the DQSA categorizes returns from dispensers and those from a wholesale distributor differently, and requires no transaction history, transaction statement, or transaction information for most returns. By contrast, the Florida provisions on returns require information to be included in a pedigree except in limited circumstances set forth in Florida Administrative Code paragraph 61N-1.012(3)(f). Because the provisions for returns under Florida law are inconsistent with, and more stringent than, the provisions in the DQSA, those provisions are preempted as well. The amended federal tracking and tracing requirements become effective January 1, 2015. The Department has previously taken the position that in the interim period before the effective date of the tracking and tracing requirements of the provisions of the DQSA, current federal minimum standards for wholesale distribution of

prescription drugs, set forth in 21 C.F.R. §203, the Prescription Drug Marketing Act (PDMA), are applicable, and states may enforce those requirements of the PDMA. See, Declaratory Statement, In Re Petition for Declaratory Statement, Publix Supermarkets, Inc., Petitioner, Declaratory Statement Case Number DS2014-007. However, Petitioner asserts that it is an authorized distributor of record, and the PDMA, by its terms, does not address requirements for documenting the movement of prescription drugs for those in Petitioner’s status as an authorized distributor of record. In addition, the PDMA does not address returns of prescription drug product. It is not clear how Petitioner is to handle tracking and tracing requirements for distributions or returns in the interim period. While Petitioner implies that the grandfathering product provision of the DQSA operates retroactively to govern Petitioner’s distributions that occur prior to January 1, 2015, the Department cannot address the applicability of the DQSA provisions to Petitioner’s facts. However, as discussed above, the Department will not pursue administrative enforcement action against Petitioner if Petitioner does not comply with pedigree, authentication and returns requirements. Accordingly, applying the foregoing to Petitioner’s facts, Petitioner’s request for a declaratory statement is answered as follows: A. The Department will not pursue an administrative enforcement action against HDS if HDS does not comply with the pedigree and authentication requirements of Section 499.01212, Florida Statutes, and Rule 61N-1.013, Florida Administrative Code. B. The Department will not pursue an administrative enforcement action against HDS if HDS does not comply with the return requirements set forth in Florida Administrative Code Rule 61N-1.012. C. Nothing herein shall be construed as affecting or negating requirements of federal law for wholesale distribution of prescription drugs as such requirements apply to Petitioner. A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: The Division of Drugs, Devices and Cosmetics, Dinah Greene, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047. Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, website: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html.

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.