

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Barbers' Board

RULE NO.: RULE TITLE:
61G3-16.002 Reexamination

PURPOSE AND EFFECT: To update language to clarify
requirements for reexamination.

SUBJECT AREA TO BE ADDRESSED: Requirements for
reexamination.

RULEMAKING AUTHORITY: 455.217(2), 476.064(4),
476.114(3) FS.

LAW IMPLEMENTED: 455.217(2), 476.114(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
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: Robyn
Barineau, Executive Director, Barbers' Board, 1940 N.
Monroe Street, Tallahassee, Florida 32399-0783, (850)921-
0038

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
64B13-18.002 Formulary of Topical Ocular Pharmaceutical
Agents

PURPOSE AND EFFECT: To update the concentration
percentage of a topical ocular pharmaceutical agent.

SUBJECT AREA TO BE ADDRESSED: A topical ocular
pharmaceutical agent.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE NOTICED IN
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:
Adrienne Rodgers, Executive Director, Board of Optometry,
4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida
32399-3257, (850)245-4393

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

Section II
Proposed Rules

STATE BOARD OF ADMINISTRATION

RULE NOS.: RULE TITLES:
19-8.029 Insurer Reporting Requirements
19-8.030 Insurer Responsibilities

PURPOSE AND EFFECT: The State Board of
Administration, Florida Hurricane Catastrophe Fund, seeks to
amend the rules listed above to implement Section 215.555,
Florida Statutes.

SUMMARY: Rule 19-8.029, F.A.C., relates to insurer
reporting requirements. The proposed amendments adopt the
Data Call and other applicable reporting requirements for the
2015-2016 contract year. Rule 19-8.030, F.A.C., specifies
insurer loss reporting, exposure reporting, and examination
requirements. The proposed amendments adopt the
examination instruction forms applicable to the 2015-2016
contract year.

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

The Agency has determined that the proposed rule is not
expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is
required, the information expressly relied upon and described
herein: Upon review of the proposed changes to these two
rules and the incorporated forms, the State Board of
Administration of Florida has determined that neither rule
meets the requirements for ratification by the legislature. The
changes to these rules do not have an adverse impact on small
business and do not directly or indirectly increase regulatory
costs in excess of \$200,000 in the aggregate within 1 year of

implementation. The changes to these rules also do not directly or indirectly have an adverse impact on economic growth, private sector job creation or employment, or private sector investment, business competitiveness or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of either rule.

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: 215.555(3), F.S.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 17, 2015, 9:00 a.m. – 11:00 a.m. (ET).

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Leonard E. Schulte, Florida Hurricane Catastrophe Fund, 1801 Hermitage Boulevard, Tallahassee, FL 32308, (850)413-1335, leonard.schulte@sbafla.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 IS: Leonard Schulte at the number or email listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.029 Insurer Reporting Requirements.

(1) No change.

(2) Definitions. The terms defined below will be capitalized in this rule.

(a) Citizens Property Insurance Corporation or Citizens means the entity formed under Section 627.351(6), F.S., and refers to two accounts, includes both the cCoastal aAccount and the pPersonal lLines and cCommercial lLines aAccounts. Each account is treated by the FHCF as if it were a separate participating insurer with its own reportable exposures, reimbursement premium, retention, and ultimate net loss.

(2)(b) No change.

(c) Contract Year means the time period which begins at 12:00:01 a.m., Eastern Time, on June 1 of each calendar year and ends at 12:00 ~~p.m.~~ midnight, Eastern Time, on May 31 of the following calendar year.

(2)(d) through (2)(j) No change.

(k) WIRE means the Web Insurer Reporting Engine which is the secure web-based system used for the reporting of insurer exposure data under the Data Call beginning with the 2014/2015 Contract Year.

(3) Reporting of Insurer Exposure Data.

(a) No later than September 1 of each Contract Year, authorized insurers and Citizens pursuant to Sections 215.555(5) and 627.351(6), F.S., shall report, online using WIRE, insured values reflecting wind exposure under Covered Policies by zip code and other relevant factors required to reflect each insurer's relative exposure to hurricane loss, valued as of June 30 of the current Contract Year, as required under the Data Call. Such other relevant factors shall be determined by the Independent Consultant consistent with principles of actuarial science and in conjunction with the development of the premium formula.

(3)(b) through (3)(c) No change.

(d) Online reporting, using WIRE, is due by September 1 (or by the alternative date applicable to New Participants as outlined in subsection (4) below); this means that the report shall be received by the Board no later than 4:00 p.m., Eastern Time, on September 1. If September 1 is a Saturday, Sunday or legal holiday, then the applicable due date will be the day immediately following September 1 which is not a Saturday, Sunday or legal holiday. Reports sent to the FHCF Administrator in Minneapolis, Minnesota, will be returned to the sender. Submissions in WIRE must be electronically signed off on Reports not in the possession of the Board by 4:00 p.m., Eastern Time, on the applicable due date by two officers registered in the system or the submission will be are late.

(4) Data Call Forms.

~~(a) For the 2010/2011 Contract Year, the reporting shall be in accordance with Form FHCF DIA, "Florida Hurricane Catastrophe Fund 2010 Data Call," rev. 05/10, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (8) below. A New Participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.~~

(a)(b) For the 2011/2012 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2011 Data Call," rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00413> hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (8) below. A New Participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

(b)(c) For the 2012/2013 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2012 Data Call," rev. 01/12, <http://www.flrules.org/gateway/reference.asp?No=Ref-01193> hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (8) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator. For the 2012/2013 Contract Year, a New Participant had the option of reporting its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

(c)(d) For the 2013/2014 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2013 Data Call," rev. 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02333>, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (8) below. A New Participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year to the Administrator.

(d)(e) For the 2014/2015 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2014 Data Call," rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03967>, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (8) below. A New Participant writing Covered Policies on or after June 1 but prior to December 1, shall report its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

(e) For the 2015/2016 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2015 Data Call," rev. XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, hereby adopted and incorporated by reference into this rule. A New Participant writing Covered Policies on or after June 1 but prior to December 1, shall report its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

(5) Loss Reimbursement Reporting Requirements.

(a) As directed by the Board, after a covered event occurs, insurers shall report all their estimated ultimate net losses (as defined in the Reimbursement Contract, adopted and incorporated into Rule 19-8.010, F.A.C.) for Covered Policies on the Form FHCF-L1A, "Florida Hurricane Catastrophe Fund Interim Loss Report," for the applicable Contract Year, as specified in subsection (6) herein, in no less than fourteen days from the date of the notice from the Board that such a report is required. The Board may request subsequent Interim Loss Reports. ~~To obtain copies of this form, see subsection (8), below.~~ Prompt reporting in the format requested will aid the Board in determining whether to seek additional sources of funds to pay for reimbursable losses. The losses reported on the Interim Loss Report are expected to result from a good faith effort, using best business practices for the insurance industry, on the part of the insurer to report as accurately as possible. Preliminary reports will not be binding. Reimbursements by the Fund will be made on the basis of the Proof of Loss Report, adopted in subsection (6) below.

(b) Insurers shall report their ultimate net losses for each loss occurrence on the Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," for the applicable Contract Year, as specified in subsection (6) herein. ~~To obtain copies of this form, see subsection (8), below.~~ While a Company may submit a Proof of Loss Report requesting reimbursement at any time following a loss occurrence, all Companies shall submit a mandatory Proof of Loss Report for each loss occurrence no earlier than December 1 and no later than December 31 of the Contract Year during which the Covered Event(s) occurs using the most current data available, regardless of the amount of Ultimate Net Loss or the amount of loss reimbursements or advances already received. After the mandatory December Proof of Loss Report, quarterly Proof of Loss Reports are required as outlined below. For purposes of this rule, quarterly Proof of Loss Reports shall be those reports submitted at each quarter end date after December 31 of the Contract Year in which the loss occurrence occurs and continuing until all claims and losses resulting from loss

occurrences commencing during the Contract Year are fully discharged, including any adjustments to such losses due to salvage or other recoveries, in accordance with the reporting requirements in this paragraph. "Fully Discharged" means the earlier of the date on which the insurer has paid its policyholders in full or the commutation clause, in Article X of the Reimbursement Contract takes effect. For the quarterly report due on March 31, any insurer whose losses exceed 50% of its FHCF retention for a specific loss occurrence shall submit a Proof of Loss Report for that loss occurrence. For the quarterly report due on June 30, any insurer whose losses exceed 75% of its FHCF retention for a specific loss occurrence shall submit a Proof of Loss Report for that loss occurrence. For the quarterly reports due on September 30 and thereafter, any insurer which anticipates that its losses will exceed its FHCF retention for a specific loss occurrence shall submit quarterly Proof of Loss Reports until all its losses are paid to its policyholders and the insurer has received reimbursement from the Fund. Annually, all Companies shall submit a mandatory year-end Proof of Loss Report for each loss occurrence, using the most current data available. This Proof of Loss Report shall be filed no earlier than December 1 and no later than December 31 of each year and shall continue until the earlier of the expiration of the Commutation Period or until all claims and losses resulting from the loss occurrence are fully discharged including any adjustments to such losses due to salvage or other recoveries.

(5)(c) No change.

(d) When required, Companies must submit a Detailed Claims Listing to support the losses reported in the FHCF-L1A, Interim Loss Report (excluding incurred but not reported losses) and the FHCF-L1B, Proof of Loss Report. The requirements and instructions for the Detailed Claims Listing are outlined in Form FHCF-DCL, "Detailed Claims Listing Instructions," for the applicable Contract Year, as specified in subsection (6) herein. The Detailed Claims Listing, when required, must be uploaded through the FHCF Online Claims System (available at www.sbafla.com/fhcf under Insurer Information, Online Claims,) at the same time as the Company's Proof of Loss Report submission. A Detailed Claims Listing is required:

(d)1. through 5(e) No change.

(6) Loss Reporting Forms.

~~(a) For the 2005/2006 and earlier Contract Years the applicable Interim Loss Report is that form that was in effect for the Contract Year as reflected by the revision date on the form. For example, the applicable Interim Loss Report for the Contract Year 2004-2005 is the FHCF-L1A, with the revision date of 05/04.~~

~~(b) For the 2013/2014 Contract Year, the applicable Interim Loss Report is the "Contract Year 2013 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02334>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2013 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02335>, which is hereby adopted and incorporated by reference into this rule. The applicable Detailed Claims Listing Instructions is the "Contract Year 2013 Detailed Claims Listing Instructions," FHCF-DCL, 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02338>, which is hereby adopted and incorporated by reference into this rule.~~

(a)(e) For the 2014/2015 Contract Year, the applicable Interim Loss Report is the "Contract Year 2014 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03971>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2014 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03969>, which is hereby adopted and incorporated by reference into this rule. The applicable Detailed Claims Listing Instructions is the "Contract Year 2014 Detailed Claims Listing Instructions," FHCF-DCL, 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03968>, which is hereby adopted and incorporated by reference into this rule.

(b) For the 2015/2016 Contract Year, the applicable Interim Loss Report is the "Contract Year 2015 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2015 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. The applicable Detailed Claims Listing Instructions is the "Contract Year 2015 Detailed

Claims Listing Instructions,” FHCF-DCL, XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

(7) Company Contact Information: Companies must submit Form FHCF C-1, Company Contact Information, rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03974>, which is hereby adopted and incorporated by reference into this rule, by March 1 preceding each Contract Year. A New Participant must submit Form FHCF C-1 within 30 calendar days of writing its first Covered Policy. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed and notarized Form FHCF C-1 from the Company.

(8) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, MN 55437, or from the FHCF website at www.sbafla.com/fhcf.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, 3-17-13; 4-24-14, ~~X-XX-15~~.

19-8.030 Insurer Responsibilities.

(1) through (3)(c) No change.

(d) Citizens Property Insurance Corporation or Citizens means the entity formed under Section 627.351(6), F.S., and refers to two accounts, includes both the cCoastal aAccount and the pPersonal lLines and cCommercial lLines aAccounts. Each account is treated by the FHCF as if it were a separate participating insurer with its own reportable exposures, reimbursement premium, retention, and ultimate net loss.

(e) Contract Year means the time period which begins at 12:00:01 a.m., Eastern Time, on June 1 of each calendar year and ends at 12:00 ~~p.m.~~ midnight, Eastern Time, on May 31 of the following calendar year.

(3)(f) through (3)(p) No change.

(q) Quota Share Primary Insurance Arrangement is defined in Section 627.351(6)(c)2.a.(~~H~~), F.S.

(r) WIRE means the Web Insurer Reporting Engine which is the secure web-based system used for the reporting of insurer exposure data under the Data Call beginning with the 2014/2015 Contract Year.

(4) Reimbursement Contract.

(a) Current Participants: The Reimbursement Contracts are annual contracts.

1. For the 2010/2011 Contract Year and earlier Contract Years, each Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by June 1 of each Contract Year.

2. For the 2011/2012 Contract Year and subsequent Contract Years, each Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by March 1 prior to each Contract Year.

(4)(b) No change.

(c) New Participants during the period of December 1 through May 31: Those Insurers that first begin writing Covered Policies from December 1 through May 31 of a Contract Year are also considered, along with the Insurers described in paragraph (b) immediately above, are New Participants. However, these Insurers shall not complete and submit the Data Call but shall meet all other requirements for New Participants.

(5) Exposure Reporting Requirements.

(a) Quota Share Primary Insurance: Citizens and Authorized Insurers may enter into Quota Share Primary Insurance Arrangements with respect to the Coastal Account policies. The statute also provides, in Section 627.351(6)(c)2.f.a.(~~H~~), F.S., that Citizens shall be responsible for the annual reporting of insured values to the FHCF for both Citizens and the Insurer participating with Citizens in the Quota Share Arrangement. Citizens shall report the insured values covered by the Quota Share Primary Insurance Arrangements in the same manner that all other current participants, as described in paragraph (b) below, report their insured values. Please note that both Citizens and the Quota Share Primary Insurer must keep complete and accurate records, including copies of policy declaration pages and supporting claims documents, for the purpose of exposure and loss reimbursement examinations by the FHCF.

(b) Current Participants: Each Insurer, with Covered Policies as of June 1 of a Contract Year must participate in the FHCF and must complete and submit the Data Call online using WIRE, correctly completed, no later than September 1 of the Contract Year.

(c) New Participants during the period of June 1 through November 30:

1. For the 2012/2013 Contract Year and earlier Contract Years, those Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must complete and submit the Data Call, correctly completed, by March 1 of the Contract Year. For the 2012/2013 Contract Year, such an Insurer had the option of reporting its actual exposure as of November 30 of the Contract Year on or before February 1 of the Contract Year.

2. For the 2013/2014 Contract Year and subsequent Contract Years, Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must correctly complete and submit the Data Call by February 1 of the Contract Year.

(d) Resubmissions of Data: With one exception noted below, any Insurer which submits a Data Call, with incorrect data, incomplete data, or data in the wrong format and is required to resubmit will be given 30 days from the date on the letter from the FHCF notifying the Insurer of the need to resubmit. An extension of 30 days will be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer. Exception: If the Insurer, at the time it receives notice of the need to resubmit, has already been issued a notice of examinations, the usual 30 day time limitation (measured from the date of the letter giving notice of the need to resubmit) does not apply. In this situation, the time period in which the Insurer must resubmit is measured by counting backwards 30 days from the date that the examinations are scheduled to begin as reflected on the notice of examinations letter. The FHCF needs the information prior to the examinations; thus, no extensions can be granted.

1. For the 2013/2014 Contract Year and earlier Contract Years, resubmissions must be submitted manually to the FHCF's Administrator in accordance with the specifications outlined in the Data Call for the applicable Contract Year.

2. For the 2014/2015 Contract Year and subsequent Contract Years, resubmissions must be submitted online using WIRE.

(6) Loss Reporting Requirements. Participating Insurers must report loss data in accordance with the requirements outlined in Article X of the Reimbursement Contract adopted by, and incorporated into, Rule 19-8.010, F.A.C., and outlined in Rule 19-8.029, F.A.C. Insurers are required to file Interim Loss Reports, Proof of Loss Reports, and Detailed Claims Listings through the FHCF Online Claims System available at www.sbafla.com/fhcf under Insurer Information, Online Claims. These forms may be obtained from the FHCF's Fund's Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437.

(7) Premiums.

(a) Current Participants: Premium installments for Current Participants are due on August 1, October 1, and December 1. Premium adjustments are due as indicated on the invoice sent to the Insurer. Premiums paid to the FHCF with reference to property covered by Quota Share Primary Insurance Arrangements, as authorized and defined in Section 627.351(6)(c)2.a.(4), F.S., will be allocated by the FHCF between the Insurer and Citizens in accordance with the percentages specified in the Quota Share Primary Insurance Arrangement.

7(b) through 7(c) No change.

~~(d) With respect to any Company where control of the Company has been transferred through any legal or regulatory proceeding to a state regulator or court appointed receiver or rehabilitator, or the Company has been placed under regulatory supervision, prior to December 1 of the Contract Year, the full annual provisional Reimbursement Premium as billed and any outstanding balances will be due on August 1, or the date that control is transferred if after August 1.~~

(8) Examination Requirements. A Company is required to retain its Data Call submission file in accordance with the specifications outlined in the Data Call instructions and a Detailed Claims Listing to support losses reported on the Proof of Loss Report, or on an Interim Loss Report if requested by the FHCF. Such records must be retained until the FHCF has completed its examination of a Company's exposure submission and any loss reports applicable to the Data Call Contract Year and commutation for the Contract Year (if applicable) has been concluded. Note that both Citizens and Insurers participating in Quota Share Primary Insurance Arrangements must keep complete and accurate records, including copies of policy declaration pages and supporting claims documents, for the purpose of exposure and loss reimbursement examinations by the FHCF.

(a) Advance Examination Record Requirements: Within 30 days from the date on the letter from the FHCF, Companies are required to provide the FHCF with the records indicated in the applicable Contract Year's "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Loss Reimbursement Examination Advance Preparation Instructions". An extension of 30 days may be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer.

~~1. For the 2005/2006 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination Contract Year 2005 Advance Preparation Instructions," FHCF API, rev. 5/05. The applicable loss examination~~

~~instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2005 Advance Preparation Instructions,” FHCF-LAP1, rev. 05/07.~~

~~2. For the 2009/2010 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2009 Advance Preparation Instructions,” FHCF-EAP1, rev. 05/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02310>. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2009 Advance Preparation Instructions,” FHCF-LAP1, rev. 05/09, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02312>.~~

~~3. For the 2010/2011 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2010 Advance Preparation Instructions,” FHCF-EAP1, rev. 05/10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02311>. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2010 Advance Preparation Instructions,” FHCF-LAP1, rev. 05/10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02313>.~~

~~1.4. For the 2011/2012 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2011 Advance Preparation Instructions,” FHCF-EAP1, rev. 01/11, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00416>. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2011 Advance Preparation Instructions,” FHCF-LAP1, rev. 01/1, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00417>.~~

~~2.5. For the 2012/2013 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2012 Advance Preparation Instructions,” FHCF-EAP1, rev. 01/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01191>. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2012 Advance Preparation Instructions,” FHCF-LAP1, rev. 01/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01192>.~~

~~3.6. For the 2013/2014 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2013 Advance Preparation Instructions,” FHCF-EAP1, rev. 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02337>.~~

The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2013 Advance Preparation Instructions,” FHCF-LAP1, rev. 02/13, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02336>.

~~4.7. For the 2014/2015 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2014 Advance Preparation Instructions,” FHCF-EAP1, rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03973>.~~

The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2014 Advance Preparation Instructions,” FHCF-LAP1, rev. 04/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03975>.

~~5. For the 2015/2016 Contract Year, the applicable exposure examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2015 Advance Preparation Instructions,” FHCF-EAP1, rev. XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2015 Advance Preparation Instructions,” FHCF-LAP1, rev. XX/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.~~

~~6.8. These forms are hereby adopted and incorporated by reference into this rule. Copies of these forms may be obtained from the FHCF website: www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308.~~

(b) On-site Examination Record Requirements: The FHCF-EAP1, “Exposure Examination Advance Preparation Instructions” and the FHCF-LAP1, “Loss Reimbursement Examination Advance Preparation Instructions” each contain a list of the information that the Companies must have available, on-site, on the date the exposure or loss examination is to begin. These records must be made available to the FHCF examiner upon request.

(c) Response to the FHCF Examination Report: Within 30 days from the date of the letter accompanying the examination report, a Company must provide a written response to the FHCF. The response must indicate whether the Company agrees with the recommendation of the examination report. If the Company disagrees with the examination findings, the reason for the disagreement will be outlined in the response and the Company will provide supporting information to support its objection. An extension of 30 days ~~may~~ will be granted if the Company can show that the need for additional time is due to circumstances beyond the reasonable control of the Company.

(d) Resubmissions as a Result of a Completed Examination: A Company required to resubmit exposure data as a result of the examination must do so within 30 days of the date on the letter from the FHCF notifying the Company of the need to resubmit. An extension of 30 days ~~may~~ will be granted if the Company can show that the need for additional time is due to circumstances beyond the reasonable control of the Company.

(9) Penalties and Additional Charges. The Participating Insurers' responsibilities outlined in this rule are not an exhaustive list and Section 215.555, F.S., and other rules promulgated under that section may outline additional responsibilities or deadlines. The failure by a Participating Insurer to meet any of the deadlines or responsibilities outlined in this rule, Section 215.555, F.S., or any other rule applicable to the FHCF constitute a violation of the Florida Insurance Code. In the event of a violation, in addition to the consequences outlined below, the FHCF may notify the Office of Insurance Regulation of the violation. The Office of Insurance Regulation may take whatever action it deems appropriate in addressing the violation.

(a) Resubmissions of Data: A \$1,000 resubmission fee (for resubmissions that are not the result of an examination by the SBA) will be invoiced by the FHCF for each resubmission ~~submission~~. If a resubmission is necessary as a result of an examination report issued by the SBA, the resubmission fee will be \$2,000. If a Company's examination-required resubmission is inadequate and the SBA requires an additional resubmission(s), the resubmission fee for each subsequent resubmission shall be \$2,000.

(9)(b) through (10) No change.

(11) Company Contact Information: Companies must submit Form FHCF_-C-1, Company Contact Information, as adopted and incorporated into Rule 19-8.029, F.A.C., by March 1 preceding each Contract Year to the FHCF Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437. A New Participant must submit Form FHCF_-C-1 within 30 calendar days of writing its first Covered Policy.

This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed and notarized Form FHCF C-1 from the Company.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, 3-17-13, 4-24-14, ~~X-XX-15~~.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration of Florida

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.005 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: To correct penalties assessed, revise disciplinary options, and clarify violation descriptions.

SUMMARY: The proposed amendments remove duplicate language, clarify violation descriptions, conform penalties for violation of the Clean Indoor Air Act to the penalties listed in the controlling statute, and modify aggravating and mitigating factors considered.

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 economic review conducted by the agency.

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: 455.2273, 509.032 FS.
 LAW IMPLEMENTED: 213.50(3), 386.207, 500.451, 509.032, 509.092, 509.215(5), 509.261, 509.281, 509.292 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, dhr.rules@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.005 Disciplinary Guidelines.

(1) through (5) No change.

(6) Standard penalties. This section specifies the penalties routinely imposed against licensees and applies to all violations of law subject to penalty under Chapter 509, F.S.

(a) through (e) No change.

(f) Operating a public lodging establishment or public food service establishment without a license or with a license expired for more than 60 days.

1. 1st offense – Administrative fine of \$250 to \$500.

2. 2nd offense – Administrative fine of \$500 to \$1,000.

3. 3rd offense and any subsequent offense – Administrative fine of \$750 to \$1,000 ~~or an administrative fine of \$750 to \$1,000.~~

(g) Operating a public lodging establishment or public food service establishment without a license resulting in when an Administrative Determination and Order of Closure has been issued by the division.

1. 1st offense – Administrative fine of \$500 ~~to \$1,000.~~

2. No change.

(h) Operating a public lodging establishment or public food service establishment in violation of an ~~Emergency Order of Emergency Suspension of License and Closure, Emergency Order of Closure, administrative suspension, Order of Closure,~~ or other emergency administrative action that prohibits operation of the establishment.

1. 1st offense – Administrative fine of \$500 to \$1,000.

2. 2nd and any subsequent offense – Administrative fine of \$1,000.

(i) Failure to comply with the requirements of a disciplinary Final Order.

1. 1st offense – Administrative fine of \$500 and license suspension.

2. 2nd offense – Administrative fine of \$1,000 and license suspension.

3. 3rd offense – License revocation.

(j) through (n) No change.

(o) Any violation requiring an ~~Emergency Order of Emergency Suspension of License and or Emergency Order of Closure,~~ as authorized by Chapter 509, F.S.

1. through 2. No change.

(p) No change.

(q) Violation of the Florida Clean Indoor Air Act, Chapter 386, Part II, F.S., shall be assessed a civil penalty in accordance with Section 386.207(3), F.S.

~~1. 1st offense – Administrative fine of \$250 to \$750.~~

~~2. 2nd and any subsequent offense – Administrative fine of \$500 to \$2,000.~~

(r) No change.

(7) Aggravating or mitigating factors. The division may deviate from the standard penalties in paragraphs (a) through (n) of subsection (6) above, based upon the consideration of aggravating or mitigating factors present in a specific case. The division may deviate from the standard penalties in paragraph (o) of subsection (6) above, based upon the consideration of aggravating factors present in a specific case. The division shall consider the following aggravating and mitigating factors in determining the appropriate disciplinary action to be imposed and in deviating from the standard penalties:

(a) Aggravating factors.

1. through 5. No change.

6. The current administrative complaint alleges a violation for which the licensee was previously disciplined in a Final Order filed with the Agency Clerk by the division within the 24 months preceding the date the current administrative complaint was issued.

7. Any other aggravating factors, as relevant under the circumstances.

(b) Mitigating Factors.

1. No change.

~~2. Length of time the current licensee has held the license.~~

~~2.3. Effect of the penalty upon the licensee’s livelihood.~~

~~3.4. Attempts by the licensee to correct the violation.~~

~~4.5. Any other mitigating factors, as relevant under the circumstances.~~

(8) through (10) No change.

Rulemaking Authority 455.2273, 509.032 FS. Law Implemented 213.50(3), 386.207, 500.451, 509.032, 509.092, 509.215(5), 509.261, 509.281, 509.292 FS. History–New 6-28-09, Amended 12-28-09, 1-1-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Diann Worzalla, Director, Division of Hotels and Restaurants,
 Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 13, 2015

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Peggy Scheuermann, Peggy.Scheuermann@flhealth.gov, Florida Department of Health, Division of Children’s Medical Services, 4052 Bald Cypress Way, Bin #A06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

- RULE NOS.: RULE TITLES:
- 64C-9.001 Definitions Used in the Sexual Abuse Treatment Rule
- 64C-9.002 Sexual Abuse Treatment Program Organization, Roles and Responsibilities
- 64C-9.003 Eligibility Criteria
- 64C-9.004 Waivers

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules that are no longer statutorily authorized.

SUMMARY: Rule 64C-9.001, F.A.C. defines terms used in the Sexual Abuse Treatment Rule. Rule 64C-9.002, F.A.C. establishes the membership and credentials of those who serve on the Sexual Abuse Treatment Program. Rule 64C-9.003, F.A.C. provides who is eligible for the program services. Rule 64C-9.004, F.A.C. allows for waivers if a standard required by the rule is not attained. These rules are not incorporated in other rules and their repeal will not have an effect on other rules.

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 SERC checklist does not indicate that the statutory threshold for ratification will be exceeded.

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: 39.3031 FS.

LAW IMPLEMENTED: 39.305 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

64C-9.001 Definitions Used in the Sexual Abuse Treatment Rule.

Rulemaking Authority 39.3031 FS. Law Implemented 39.305 FS. History–New 2-16-93, Amended 3-28-96, Formerly 10J-11.002, 65C-8.001, Amended 4-1-08, Repealed.

64C-9.002 Sexual Abuse Treatment Program Organization, Roles and Responsibilities.

Rulemaking Authority 39.3031 FS. Law Implemented 39.305 FS. History–New 2-16-93, Amended 3-28-96, Formerly 10J-11.002, 65C-8.001, Amended 4-1-08, Repealed.

64C-9.003 Eligibility Criteria.

Rulemaking Authority 39.3031 FS. Law Implemented 39.305 FS. History–New 2-16-93, Amended 3-28-96, Formerly 10J-11.002, 65C-8.001, Amended 4-1-08, Repealed.

64C-9.004 Waivers.

Rulemaking Authority 39.3031 FS. Law Implemented 39.305 FS. History–New 2-16-93, Amended 3-28-96, Formerly 10J-11.002, 65C-8.001, Amended 4-1-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Peggy Scheuermann

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General & Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2014

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-20.0017 Maintenance and Duration of Instructor
Certifications

NOTICE IS HEREBY GIVEN that on March 10, 2015, the Department of Law Enforcement Criminal Justice Standards and Training Commission received a petition for permanent waiver of subsections 11B-20.0017(1) and (3), and paragraphs (4)(a), and (4)(b), F.A.C., by William Looper, Director, Criminal Justice Training Center #21 on behalf of Benjamin Glass. Petitioner wishes to permanently waive that portion of the rule that states that (1) Instructors shall successfully complete the instructional and continuing education requirements outlined below every four years. The expiration of an instructor’s certification shall be March 31st of the fourth year following the instructor’s initial certification; (3) General Instructor Certification. Instructors who possess a General Instructor Certification shall instruct in a Commission-approved Basic Recruit Training Program Course, Advanced Training Program Course, or Specialized Training Program Course delivered at a training school, or in-service training course delivered at an agency, once during their four-year cycle; (4)(a) Instruct in a Commission-approved Basic Recruit Training Program Course, Advanced Training Program Course, or Specialized Training Program Course delivered at a training school, or in-service training course delivered at an agency for each high-liability certification; and, (4)(b) Successfully complete continuing education or training approved by the training center director, agency administrator, or designee. Petitioner states that due to a clerical error, Training Center #21 did not enter Mr. Glass’ affiliation with the training center after his retirement with the Florida Highway Patrol. Petitioner states that due to this error, Mr. Glass’ instructor certification lapsed through no fault of his own. Petitioner states that on February 27, 2014, Instructor Glass was affiliated with the Florida Highway Patrol and on that date requested an “Instructor Request for Change Affiliation” which is reflects on Instructor Glass’ global profile sheet. Petitioner states that on February 28, 2014 CJSTC form 84 was completed and placed in his file however, Training Center #21 failed to adopt Instructor Glass’ certification after leaving the Florida Highway Patrol. Petitioner states that recertification paperwork was completed showing Instructor Glass met the requirements set forth in Rule 11B-20.0017, F.A.C. but because of the failure to

affiliate him with Training Center #21, his information could not be entered into the ATMS.

Petitioner states that strict application of the rules creates a substantial hardship on Instructor Glass and also the training center in that Instructor Glass is slated to instruct firearm classes. Petitioner states that Instructor Glass is ready and available to instruct and waiver to the rule is needed otherwise the training center would have to locate other instructors. Petitioner states that the purpose of the underlying statute will be achieved if the waiver is granted.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 20, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., and subsection 61C-4.010(6), F.A.C., from Los Sabrosos Latinos Cafeteria located in Tampa. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent business (Miguel’s Barbershop) for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:

64B1-3.004 Acupuncture Examination

The Board of Acupuncture hereby gives notice:

SooAnn Burbella, M.D., filed a Petition for Variance on December 18, 2014 – published January 13, 2015 (Vol. 41, No. 8), of the Florida Administrative Register – regarding Rule 64B1-3.004, F.A.C., and §457.105, F.S., which requires that an applicant complete the additional Biomedicine Module examination as a condition of licensure.

The Board considered the Petition at a duly-noticed, telephonic public meeting held on February 6, 2015.

The Board's Order, filed March 11, 2015, dismissed the Petition finding that it is moot due to the Board's approval of Petitioner's application for licensure.

A copy of the Order or additional information may be obtained by contacting: Christina Robinson, Executive Director, Board of Acupuncture, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)245-4588, info@FloridasAcupuncture.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-5.502 General Requirements

NOTICE IS HEREBY GIVEN that on March 16, 2015, the Department of Health, Bureau of Radiation Control, received a petition for the Brevard 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 Section, 705 Wells Road, Orange Park, FL 32073, (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 EDUCATION

Education Practices Commission

The Education Practices Commission announces hearings to which all persons are invited.

DATES AND TIMES: April 1, 2015, 1:30 p.m., Teacher Hearing Panel, Leadership Training Workshop immediately following; April 2, 2015, 8:30 a.m., Teacher Hearing Panel

PLACE: DoubleTree by Hilton, 4500 Cypress Street, Tampa, Florida 33307, (813)879-4800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The Leadership Training is being conducted to train Commission members.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

STATE BOARD OF ADMINISTRATION

The Florida Commission on Hurricane Loss Projection Methodology announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 31, 2015, 9:00 a.m. – 4:00 p.m. (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida. Persons wishing to participate by phone may dial: 1(888)670-3525, conference code: 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Flood Standards Development Committee to discuss a working draft of the Meteorological/Hydrological Flood Standards and to begin a discussion of the Vulnerability Flood Standards.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, donna.sirmons@sbafla.com, (850)413-1349.

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: Donna Sirmons at the email or number listed above. 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 CITRUS

The Florida Department of Citrus announces a workshop to which all persons are invited.

DATE AND TIME: April 9, 2015, 1:00 p.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of codifying in Rules 20-3 and 20-100.004, F.A.C., the processes and procedures used to collect data and disseminate reports of processing statistics.

A copy of the agenda may be obtained by contacting: Alex Cutts, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or acutts@citrus.myflorida.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: Dianne Screws at dscrews@citrus.myflorida.com or (863)537-3984. 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The Correctional Medical Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 7, 2015, 2:00 p.m.

PLACE: 400 South Monroe Street, Suite #1602, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: (850)717-9500.

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: (850)210-7500. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission for Hazardous Materials Training Task Force (TTF) announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2015, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission for Hazardous Materials (SERC) announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2015, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Local Emergency Planning Committee (LEPC), Chairpersons and Staff Contacts for the State Emergency Response Commission for Hazardous Materials announce a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2015, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

METROPOLITAN PLANNING ORGANIZATIONS

The Florida Metropolitan Planning Organization Advisory Council Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 1, 2015, 12:00 Noon
 PLACE: Florida Department of Transportation (Haydon Burns Building), Lafayette Room, Room 228, 605 Suwannee Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to the MPOAC and Transportation Planning in Florida.

A copy of the agenda may be obtained by contacting: Brigitte Messina, brigitte.messina@mpoac.org, (850)414-4037.

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: Brigitte Messina, brigitte.messina@mpoac.org, (850)414-4037. 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: Brigitte Messina, brigitte.messina@mpoac.org, (850)414-4037.

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid**

RULE NO.: RULE TITLE:
 59G-4.295 Specialized Therapeutic Services
 The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 1, 2015, 10:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a public meeting for the purpose of discussing the Florida Medicaid Specialized Therapeutic Services Coverage and Limitations Handbook, March 2014, which is located on the Medicaid fiscal agent’s website at <http://portal.flmmis.com>.

A copy of the agenda may be obtained by contacting: Devon Tran, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, FL 32308-5407, telephone: (850)412-4245, email: Devon.Tran@ahca.myflorida.com or at www.ahca.myflorida.com/Medicaid/review/index.shtml.

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 24 hours before the workshop/meeting by contacting: Devon Tran. 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: Devon Tran, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, FL 32308-5407, telephone: (850)412-4245, email: Devon.Tran@ahca.myflorida.com or at www.ahca.myflorida.com/Medicaid/review/index.shtml.

**DEPARTMENT OF MANAGEMENT SERVICES
 E911 Board**

The DMS – Division of Telecommunications, E911 Board announces the following 2015/2016 Meeting Schedule information:

DATES AND TIMES: July 15-16, 2015, 9:00 a.m. until conclusion of business

PLACE: Four Points Sheraton, Punta Gorda

DATES AND TIMES: August 12-13, 2015, 9:00 a.m. until conclusion of business

PLACE: Four Point Sheraton, Ft. Walton Beach

DATES AND TIMES: September 23-24, 2015, 9:00 a.m. until conclusion of business

PLACE: Embassy at Westshore, Tampa

DATES AND TIMES: October 14-15, 2015, 9:00 a.m. until conclusion of business

PLACE: Holiday Inn Express, Largo

DATES AND TIMES: November 18-19, 2015, 9:00 a.m. until conclusion of business

PLACE: Embassy Suites, Altamonte Springs

DATES AND TIMES: December 16-17, 2015, 9:00 a.m. until conclusion of business

PLACE: Ponte Vedra Inn Hotel, Ponte Vedra

DATES AND TIMES: January 13-14, 2016, 9:00 a.m. until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee

DATE AND TIME: January 28, 2016, 2:00 p.m. until conclusion of business

PLACE: Telephone conference: 1(888)670-3525, conference code: 2323004133 (to discuss business related to the 2015 Annual Report to the Governor and Legislature)

DATE AND TIME: February 4, 2016, 2:00 p.m. until conclusion of business

PLACE: Telephone conference: 1(888)670-3525, conference code: 2323004133 (to discuss business related to the 2015 Annual Report to the Governor and Legislature)

DATES AND TIMES: February 17-18, 2016, 9:00 a.m. until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee

DATES AND TIMES: March 16-17, 2016, 9:00 a.m. until conclusion of business

PLACE: Rosen Centre, Orlando

DATES AND TIMES: April 13-14, 2016, 9:00 a.m. until conclusion of business

PLACE: Hilton Garden Inn, Ponte Vedra

DATES AND TIMES: May 11-12, 2016, 9:00 a.m. until conclusion of business

PLACE: Embassy Suites, Altamonte Springs

DATES AND TIMES: June 15-16, 2016, 9:00 a.m. until conclusion of business

PLACE: Hilton Garden Inn, Gainesville

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the Florida E911 Board.

Copies of the agendas may be obtained by contacting: Penney Taylor, (850)414-9636.

If accommodation due to disability is needed in order to participate, please notify the DMS – Division of Telecommunications Office/E911 Board in writing at least five (5) days in advance at 4030 Esplanade Way, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Building Code Administrators and Inspectors Board announces public meetings to which all persons are invited.

DATES AND TIMES: June 10-12, 2015, 9:00 a.m.

PLACE: Floridays Resort, 12562 International Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions of which may be closed to the public), general board business.

A copy of the agenda may be obtained by contacting: Board's website: MyFloridaLicense.com > Our Businesses & Professions > Building Code.

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: the Board office. 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 HEALTH

Board of Nursing

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

DATE AND TIME: April 7, 2015, 10:00 a.m.

PLACE: Department of Health, Tallahassee at Meet Me number: 1(888)670-3525, code: 9908086106

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 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 HEALTH

Board of Nursing Home Administrators

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

DATE AND TIME: Friday, April 17, 2015, 9:00 a.m., at Meet Me number: 1(888)670-3525, participant code: 7342425515

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov or by accessing the board's website at: <http://floridasnursinghomeadmin.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 hours 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

Council of Licensed Midwifery

The Florida Council of Licensed Midwifery announces a public meeting to which all persons are invited.

DATE AND TIME: April 11, 2015, 9:00 a.m.

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746, (407)995-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General business of the council. Meetings may be cancelled prior to the meeting date. Please check the council website at <http://www.floridahealth.gov/licensing-and-regulation/midwifery/meetings/index.html> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Christy Robinson, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, 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: Don Olmstead at (850)245-4161. 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: Don Olmstead at (850)245-4161.

DEPARTMENT OF HEALTH

Board of Respiratory Care

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

DATE AND TIME: April 2, 2015, 9:00 a.m.

PLACE: Conference call: Meet Me number: 1(888)670-3525, participant code: 7811783909 followed by the # sign

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board training.

A copy of the agenda may be obtained by contacting The Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255; calling the board office at (850)245-4373, ext. 3475 or by visiting the website: www.floridasrespiratorycare.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 48 hours before the workshop/meeting by contacting: the Department of Health at (850)245-4444, ext. 3418. 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 FINANCIAL SERVICES

Division of State Fire Marshal

The Fire & Emergency Incident Information System Technical Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 13, 2015, 1:30 p.m.
 PLACE: Atrium Building Conference Room, Tallahassee, FL
 or via conference call: (850)413-1558, ID: 8320127
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular Meeting topics to include but not be limited to a
 Division update, FFIRS update and EMS update.
 A copy of the agenda may be obtained by contacting:
 MaryAnn.Benson@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES
 Division of State Fire Marshal
 The Firefighters Employment, Standards & Training Council
 announces a public meeting to which all persons are invited.
 DATE AND TIME: Monday, April 13, 2015, 10 minutes after
 the adjournment of the FFIRS meeting which begins at 1:30
 p.m.
 PLACE: Atrium Building Conference Room, Tallahassee, FL
 or via conference call: (850)413-1558, ID: 8320127
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular Meeting topics to include but not be limited to a
 Division of State Fire Marshal Update and Bureau of Fire
 Standards & Training Update.
 A copy of the agenda may be obtained by contacting:
 MaryAnn.Benson@myfloridacfo.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 The Reemployment Assistance Appeals Commission
 announces a public meeting to which all persons are invited.
 DATE AND TIME: April 1, 2015, 9:00 a.m.
 PLACE: Reemployment Assistance Appeals Commission, 101
 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida
 32399-4151
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Deliberation for cases pending before the Reemployment
 Assistance Appeals Commission that are ready for final
 review and the Chairman’s report. No public testimony will be
 taken.
 A copy of the agenda may be obtained by contacting:
 Reemployment Assistance Appeals Commission, 101 Rhyne
 Building, 2740 Centerview Drive, Tallahassee, Florida 32399-
 4151, (850)487-2685.
 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 24 hours before the workshop/meeting by
 contacting: Reemployment Assistance Appeals Commission,
 101 Rhyne Building, 2740 Centerview Drive, Tallahassee,
 Florida 32399-4151, (850)487-2685. 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: Reemployment
 Assistance Appeals Commission, 101 Rhyne Building, 2740
 Centerview Drive, Tallahassee, Florida 32399-4151,
 (850)487-2685.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION
 Division of Florida Condominiums, Timeshares and Mobile
 Homes
 NOTICE IS HEREBY GIVEN that the Division of Florida
 Condominiums, Timeshares, and Mobile Homes, Department
 of Business and Professional Regulation, State of Florida, has
 received the petition for declaratory statement from Dennis
 Warren, President, In Re: Lake Tyler Condominium
 Association, Inc., Docket No. 2015009839, filed on March 23,
 2015. The petition seeks the agency’s opinion as to the
 applicability of Section 718.112(2)(d)4.a., Florida Statutes, as
 it applies to the petitioner.
 Whether Section 718.112(2)(d)4.a., Florida Statutes, requires
 the Association to hold an election each year and, if answered
 in the affirmative, which properly seated 2-year Directors
 should have their terms involuntarily reduced by one year to
 create vacancies.
 A copy of the Petition for Declaratory Statement may be
 obtained by contacting: Rikki Anderson, Administrative
 Assistant II, at Department of Business and Professional
 Regulation, Division of Florida Condominiums, Timeshares,
 and Mobile Homes, 1940 North Monroe Street, Tallahassee,
 Florida 32399-2217, (850)717-1415,
 Rikki.Anderson@myfloridalicense.com.
 Please refer all comments to: Thomas Morton, Chief Attorney,
 Department of Business and Professional Regulation, Division
 of Florida Condominiums, Timeshares, and Mobile Homes,
 1940 North Monroe Street, Tallahassee, Florida 32399-2202.
 Responses, motions to intervene, or requests for an agency
 hearing, §120.57(2), Fla. Stat., must be filed within 21 days of
 this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION
 Division of Florida Condominiums, Timeshares and Mobile
 Homes
 NOTICE IS HEREBY GIVEN that the Division of Florida
 Condominiums, Timeshares, and Mobile Homes, Department
 of Business and Professional Regulation, State of Florida, has

declined to rule on the petition for declaratory statement filed by Steven Jushchyshyn, Unit Owner, In Re: G.B.S. Condominium Association, Inc., Docket No. 2014047302, on November 7, 2014. The following is a summary of the agency’s declination of the petition:

The division declined to issue a Declaratory Statement because a declaratory statement is not the proper forum to resolve disputes of fact; and because it may not approve or disapprove of conduct which has already occurred. The order was filed with the Agency Clerk on March 20, 2015.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.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

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

Proposed Amendment to Florida’s 1115 Managed Medical Assistance Waiver

The Agency for Health Care Administration announces public meetings to which all persons are invited.

DATES AND TIMES: April 1, 2015, 1:00p.m. – 3:30 p.m.; April 14, 2015, 3:00p.m. – 5:00 p.m.

PLACES: April 1, 2015, 1:00p.m. – 3:30 p.m.: The Agency for Health Care Administration, 6800 North Dale Mabry Highway, Suite 220, Main Training Room, Tampa, FL 33614. To participate by phone, please call 1(877)299-4502 and enter the participant passcode: 769 730 07#.

April 14, 2015, 3:00p.m. – 5:00p.m.: Agency for Health Care Administration, Building 3, 1st Floor, Conference Room A, 2727 Mahan Drive, Tallahassee, FL 32308. To participate by phone, please call 1(877)299-4502 and enter the participant passcode: 758 844 10#.

SUMMARY DESCRIPTION OF PROPOSED AMENDMENT: The Agency plans to submit an amendment to Florida’s 1115 Managed Medical Assistance (MMA) Waiver to the Centers for Medicare and Medicaid Services (Federal CMS) to assign Medicaid-eligible individuals who are mandated to participate in Florida’s MMA program, a component of the Statewide Medicaid Managed Care program, to a managed care plan immediately after eligibility determination. The State is requesting an effective date of September 1, 2015.

The proposed amendment will allow individuals to be enrolled in a managed care plan immediately after eligibility determination. Under the proposed amendment, individuals will receive both their managed care plan assignment and information about the managed care plan choices in their area, to encourage an active selection, immediately after eligibility determination.

During the initial 30-day period post-enrollment, if a recipient decides to change plans, the change will take effect the first

day of the following month. The 30-day change period will be followed by a 90-day disenrollment period. During the 90-day disenrollment period, if a recipient decides to change plans, the change will take effect the first day of the following month.

The State is not requesting any changes to the 1115 MMA waiver authorities or expenditure authorities authorized July 31, 2014. The State is requesting to amend Special Term and Conditions (STCs) #2, #21, #22, and #40 of this waiver to remove the 30-day delay period between eligibility determination and managed care plan enrollments and to amend the auto-assignment criteria to conform to Section 409.977(2), Florida Statutes, which states:

When automatically enrolling recipients in managed care plans, the agency shall automatically enroll based on the following criteria: (a) Whether the plan has sufficient network capacity to meet the needs of the recipients. (b) Whether the recipient has previously received services from one of the plan's primary care providers. (c) Whether primary care providers in one plan are more geographically accessible to the recipient's residence than those in other plans."

To view the full description of the proposed amendment request please see the public notice document published on the Agency's website at the following link:

http://ahca.myflorida.com/medicaid/statewide_mc/mma_fed_auth_amend_waiver_2015-03.shtml

PUBLIC NOTICE AND PUBLIC COMMENT PERIOD:

MARCH 25, 2015 – APRIL 24, 2015

The Agency will conduct a 30-day public notice and comment period prior to the submission of the proposed amendment request to Federal CMS. The Agency will consider all public comments received regarding the proposed amendment request. The 30-day public notice and public comment period begins March 25, 2015 and ends April 24, 2015. This public notice and public comment period is being held to solicit public input from recipients, providers and all stakeholders and interested parties on the development of the proposed amendment request to Florida's 1115 MMA Waiver.

To submit comments by postal service or internet email, please follow the directions outlined below. When providing comments regarding the proposed amendment to the 1115 MMA Waiver, please have 'Proposed Amendment to 1115 MMA Waiver' referenced in the subject line. Mail comments and suggestions to:

Proposed Amendment to 1115 MMA Waiver, Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, MS #8, Tallahassee, Florida 32308

Email your comments and suggestions to: FLMedicaidWaivers@ahca.myflorida.com.

SUMMARY DESCRIPTION OF THE 1115 MMA WAIVER: Florida's 1115 Research and Demonstration Waiver was initially approved by Federal CMS October 19, 2005 to operate for the period from July 1, 2006 to June 30, 2010. Implementation of the waiver occurred in Broward and Duval counties on July 1, 2006 with expansion to Baker, Clay and Nassau counties occurring July 1, 2007. Federal CMS granted temporary extensions of the waiver until December 15, 2011, when final approval of the extension request was granted, for the period from December 16, 2011 to June 30, 2014.

On June 14, 2013, Federal CMS approved an amendment to the waiver that allows for implementation of an improved statewide model of managed care in 2014 and the continuation of the Low Income Pool program. The amendment also changed the name of the waiver to the Florida Managed Medical Assistance Waiver.

On November 27, 2013, the Agency submitted another three-year waiver extension request to Federal CMS to extend Florida's 1115 MMA Waiver for the period July 1, 2014 to June 30, 2017. With the submission of the three-year waiver extension request, the State is seeking federal authority to extend Florida's 1115 MMA Waiver for the period July 1, 2014 to June 30, 2017. The waiver is designed to implement a new statewide managed care delivery system without increasing costs and to continue the Low Income Pool program. The program is guided by principles designed to improve coordination and patient care while fostering fiscal responsibility.

The MMA program will provide primary and acute medical care for the majority of Medicaid recipients through high quality, competitively selected managed care organizations. Moving from a fee-for-service system to the MMA program, the program increases consumer protections as well as quality of care and access for Floridians in many ways including:

- Increases recipient participation on Florida's Medical Care Advisory Committee and convenes smaller advisory committees to focus on key special needs populations;
- Ensures the continuation of services until the primary care or behavioral health provider reviews the enrollee's treatment plan (no more than 60 calendar days after the effective date of enrollment);
- Ensures recipient complaints, grievances and appeals are reviewed immediately for resolution as part of the rapid cycle response system;
- Establishes Healthy Behaviors programs to encourage and reward healthy behaviors and, at a minimum, requires plans offer a medically approved smoking cessation program, a medically directed weight loss program and a substance abuse treatment plan;

- Requires Florida’s External Quality Review Organization to validate each plan’s encounter data every three years;
 - Enhances consumer report cards to ensure recipients have access to an understandable summary of quality, access, and timeliness regarding the performance of each participating managed care plan;
 - Enhances the plan’s performance improvement projects by focusing on six key areas with the goal of achieving improved patient care, population health and reducing per capita Medicaid expenditures;
 - Enhances metrics on plan quality and access to care to improve plan accountability; and
 - Enhances the state’s comprehensive continuous quality improvement strategy, focusing it on all aspects of quality improvement in Medicaid.
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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.
