

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: **RULE TITLE:**
1S-2.0001 Designation of Division of Elections as
Filing Office for Department of State;
Requirements for Candidate Qualifying
Papers; Withdrawal of Candidacy

PURPOSE AND EFFECT: This rule is being amended to clarify the requirements of the rule relating to the qualifying office and financial interests form and to include the correct oaths on forms incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Qualifying requirements and forms of candidates for elected offices.

RULEMAKING AUTHORITY: 20.05(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022, FS.

LAW IMPLEMENTED: 20.05(1)(b), 99.061, 99.095, 103.022, 105.031(1), 105.035, FS.

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

DATE AND TIME: August 19, 2016, 11:00 a.m.
PLACE: Room 307, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 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 3 days before the workshop/meeting by contacting: Amanda Pullen, at (850)245-6536, or Amanda.Pullen@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jordan Jones, Assistant General Counsel, at (850)245-6536 or Jordan.Jones@dos.myflorida.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NOS.: **RULE TITLES:**
59C-1.002 Definitions
59C-1.032 Cardiac Catheterization and Angioplasty
 Institutional Health Services
59C-1.033 Open Heart Surgery Program

PURPOSE AND EFFECT: The Agency is proposing to amend rules to remove a tertiary service no longer under Certificate of Need (CON) purview, remove language regarding adult services, update definitions and add the collection of utilization reports.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment to Rule 59C-1.002, F.A.C., removes adult open heart surgery from the list of tertiary services. The proposed amendments to Rules 59C-1.032 and 59C-1.033, F.A.C., remove all references to adult open heart surgery programs and adult cardiac catheterization programs, as these programs no longer require a CON to be established, and removes Travel Standard language, need determination and other components of the adult program’s CON criteria.

RULEMAKING AUTHORITY: 408.034 (3) and (8); and 408.15 (8), FS.

LAW IMPLEMENTED: 408.032 (17), 408.033 (1)(a), (3)(b), 408.034 (3), 408.035, 408.036 (1)(f), 408.037(1), 408.039 (1), (2), (4)(a), FS.

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

DATE AND TIME: August 22, 2016, 9:30 a.m. – 10:30 a.m.
PLACE: Agency for Health Care Administration, Building Three, Conference Room C, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Marisol Fitch, Certificate of Need and Commercial Managed Care Unit Supervisor, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)412-4346

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: **RULE TITLE:**
59C-1.039 Comprehensive Medical Rehabilitation
 Inpatient Services

PURPOSE AND EFFECT: The Agency is proposing to amend Rule 59C-1.039, F.A.C., to remove, update and

condense language regarding comprehensive medical rehabilitation inpatient services.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes the following amendments to this rule: update definitions; update language on excluded hospitals; update other required services for consistency with hospital licensure (59A-3.066, F.A.C.); update statutory language, improve and condense language for needs assessment methodology; remove references to State and Local Health Council District health plans; remove language citing 59C-1.038, F.A.C. (repealed); remove language requiring accreditation pursuant to 408.043(4), F.S.; remove obsolete language and items from the utilization reporting requirement; and remove language regarding the applicability of the amended rule.

RULEMAKING AUTHORITY: 408.034 (3), (8), 408.15 (8), FS.

LAW IMPLEMENTED: 408.034 (3), 408.035, 408.039 (4)(a), 408.036 (1)(b), (c), (f), FS.

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

DATE AND TIME: August 22, 2016, 8:30 a.m. – 9:30 a.m.

PLACE: Agency for Health Care Administration, Building Three, Conference Room C, 2727 Mahan Drive, 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 2 days before the workshop/meeting by contacting: Marisol Fitch, Certificate of Need and Commercial Managed Care Unit Supervisor, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)412-4346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Marisol Fitch, Certificate of Need and Commercial Managed Care Unit Supervisor, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)412-4346

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

Section II Proposed Rules

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NOS.:	RULE TITLES:
69B-228.010	Purpose
69B-228.020	Scope
69B-228.030	Definitions
69B-228.040	Course Providers
69B-228.050	School Officials
69B-228.060	Instructors and Supervising Instructors
69B-228.080	Course Approval; Requirements; Guidelines
69B-228.090	Course Offerings and Attendance Records
69B-228.100	Certification of Students
69B-228.110	Textbooks
69B-228.120	Course Fees
69B-228.130	Facilities
69B-228.150	Advertising
69B-228.160	Prohibited Practices
69B-228.180	Forms
69B-228.190	Transition Time in the Event of Rule Changes
69B-228.210	Penalties for Course Providers, School Officials, Supervising Instructors, Instructors, and Monitors
69B-228.220	Licensee Compliance; Requirements; Penalties for Non-Compliance
69B-228.230	Extensions
69B-228.240	Applicability of Continuing Education Requirement for New Licensees
69B-228.250	Exempted Licensees
69B-228.260	Timeline for Submissions
69B-228.270	Course Audits
69B-228.280	Duration of Suspension or Revocation; Effect of Suspension or Revocation upon Associated Authorizations

PURPOSE AND EFFECT: The purpose of the proposed amendments is to update and clarify the continuing education rules in Chapter 69B-228, F.A.C.

SUMMARY: Rule 69B-228.030, F.A.C., provides updated definitions. Rule 69B-228.040, F.A.C., sets forth the requirements for a course provider. Rule 69B-228.050, F.A.C., sets forth the requirements for a school official or a supervising instructor for bail bond agent courses. Rule 69B-228.060, F.A.C., sets forth the requirements for a course instructor or guest lecturer. Rule 69B-228.080, F.A.C., sets forth the requirements for different types of continuing education courses. Rule 69B-228.090, F.A.C., contains requirements for course offerings and attendance records are being deleted from the title. Rule 69B-228.100, F.A.C., requires providers to submit an Attendance Roster Detail form and to issue a Certificate of Completion form to students. Rule

69B-228.150, F.A.C., contains requirements and guidelines for advertisements. Rule 69B-228.160, F.A.C., specifies prohibited practices for providers, school officials, supervising instructors, instructors, and any personnel under their purview. Rule 69B-228.180, F.A.C., requires all applications and other forms to be submitted through the Department’s website, repeals six forms, and updates the remaining forms. Rule 69B-228.210, F.A.C., sets forth the grounds for disapproval, suspension or revocation of approval of a provider, school official, supervising instructor or instructor. Rule 69B-228.220, F.A.C., sets forth requirements for licensee compliance and penalties for non-compliance. Rule 69B-228.230, F.A.C., provides for an extension of time to complete continuing education requirements. Rule 69B-228.250, F.A.C., exempts certain licensees from the continuing education requirements. Proposed Rule 69B-228.260, F.A.C., requires applications to be completed within 60 days of submission. Proposed Rule 69B-228.270, F.A.C., provides that the Department shall audit courses and provider records with or without notice to the provider. Proposed Rule 69B-228.280, F.A.C., sets forth the duration of a suspension or revocation and the effect of a suspension or revocation on associated authorizations. Rules 69B-228.110, .120, .130, .190, and .240, F.A.C., are repealed.

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 Department conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 624.308, 626.2816, 648.26(1)(a), 648.386(4), FS.

LAW IMPLEMENTED: 624.307(1), 626.2815, 626.2816, 626.869, 626.9541(1)(b), 648.385, 648.386, FS.

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: August 29, 2016, 2:00 p.m.
 PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Cleary, telephone: (850)413-5355, email: Heather.Cleary@myfloridacfo.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: Heather Cleary, Bureau of Licensing, address: 200 E. Gaines Street, Tallahassee, FL 32399-0319, telephone: (850)413-5355, email: Heather.Cleary@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-228.010 Purpose.

The purpose of this rule chapter is to establish requirements and standards for all continuing education courses, providers of continuing education courses, and records for all persons licensed to transact business or adjust claims in insurance or act as a limited surety or bail bond agent in this state.:

- ~~(1) Licensed to solicit or sell insurance or act as limited surety or bail bond agents in this state;~~
- ~~(2) Licensed to adjust insurance claims in this state; and~~
- ~~(3) Authorized to offer or teach related coursework in this state.~~

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), 626.2815, 626.2816, ~~626.2816(2), 626.869(5), 648.385, 648.386~~ FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.010, Amended 1-17-05, _____.

69B-228.020 Scope.

(1) This rule chapter shall apply to:

(a) All types and classes of ~~agent and customer representative~~ licenses for which an examination is required for licensure pursuant to Chapters 626 and 648, F.S. is required before consideration of any examination exception;

~~(b) All licensed adjusters;~~

~~(c) Bail bond agents; and~~

~~(b)(4)~~ All course providers, contact persons, instructors, school officials, supervising instructors, and monitors of continuing education courses.

(2) No change.

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), ~~624.504,~~ 626.2815, 626.2816, 626.869(5), 648.385, 648.386 FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.020, Amended 1-17-05, _____.

69B-228.030 Definitions.

For purposes of this rule chapter these rules, the following definitions shall apply:

(1) “Advertising” means the making of a representation in any form in connection with a provider of education or other business in order to promote continuing education credits. Forms of communication include, but are not limited to: television, radio, internet including social media, newspaper, text messaging or other means of instant messaging, email, or other forms of electronic communication.

“Administrative record” means any document relating to:

- (a) Course provider approval;
- (b) Course approval;
- (c) Course offerings;
- (d) Attendance;
- (e) Course completions or credits;
- (f) Instructor, or supervising instructor qualifications;
- (g) Any other records required to be kept by the Florida Insurance Code, and any rule or order of the Department.

(2) “Approved” or “qualified,” with regard to a course provider, course, supervising instructor, or instructor, means that the Department has determined that the course provider, course, school official, supervising instructor, or instructor, or course offering has met the criteria set forth in Rules 69B-228.040 through 69B-228.090, F.A.C.:

(a) Rules 69B-228.040, 69B-228.050, 69B-228.060, and 69B-228.080, F.A.C., for approval and qualification;

(b) Form DFS H2-464, Application for Course Provider Approval, rev. 5/97, which is adopted in Rule 69B-228.180, F.A.C.;

(c) Form DFS H2-1137, Application for School Official Appointment, rev. 7/97 which is adopted in Rule 69B-228.180, F.A.C.;

(d) Form DFS H2-1269, Application for Supervising Instructor Approval, rev. 2/99 which is adopted in Rule 69B-228.180, F.A.C.; and

(e) Form DFS H2-398, Certification of Instructor, rev. 6/97, which is adopted in Rule 69B-228.180, F.A.C.

(3) “Assessment” means the process for determining individual learning achievement.

(3)(4) “Audit” means:

(a) Department activity to monitor or evaluate classroom, seminar, webcast, interactive online, and correspondence courses, examination sites, administrative offices, and provider and licensee records, the offering of courses, not excluding visits to:

- 1. Classrooms;
- 2. Exam sites, and
- 3. Administrative offices where administrative records are maintained; or

(b)1. Re-evaluating approved classroom course outlines and self-study programs based on current guidelines;

2. Review and verification of all applications, courses, outlines, texts and forms for accuracy of information submitted and conformance to rules and statutes.

(5)(a) “Class” means the study method of a course designed to be presented to a group of licensees using lecture, video or other audio-visual presentation method which has an approved instructor, or supervising instructor.

(b) A course with a “class” study method may have an infinite number of offerings. Each offering shall not exceed 12 months between the beginning and ending date.

(4) “Blended course” means a course that consists of a combination of the classroom, self-study correspondence or self-study online study methods.

(5) “Classroom course” means a course that is designed to be presented to a group of students by a live instructor using lecture, video, webcast, virtual or other audio-video presentation.

(6) “Completion,” when used in the context of:

(a) Correspondence course, Self-study, means a passing grade of 70 percent or better on the final a monitored examination.

(b) Classroom course, means attendance for the full amount of time approved for each course “Interactive On-line” means achievement of 70% or better on an internal testing program administered by computer on line or via the internet and that is certified by the provider to the Department with each application for course approval.

(c) Class, means attendance for the full amount of time approved for each course.

(c)(d) Seminar, means attendance for the full amount of time assigned for each workshop or break-out session selected, not to exceed the total hours approved for the course.

(7) “Compliance date” means the last day of the licensee’s birth month, after holding any license for which continuing education is required for 24 consecutive months a license for which continuing education is required.

(8) “Correspondence course” means a self-study course designed to be presented to students through physical documents or other media.

(8) “Contact person” means the person at the course provider level who:

(a) Has authority to transact business for the course provider through contracts, licenses, or other means;

(b) Is an owner, partner, corporate officer, or association board member or officer;

(c) Appoints the school official to represent the course provider; and

~~(d) Is designated to the Department on Form DFS H2-464, Application for Course Provider Approval, rev. 5/97, which is adopted in Rule 69B-228.180, F.A.C.~~

~~(9) "Course" means an education program or training program that is designed to meet the continuing education requirement for licensure. shall mean any of the following which have been approved by the Department for the purpose of complying with continuing education requirements:~~

~~(a) Any class or seminar for:~~

- ~~1. Agents,~~
- ~~2. Customer representatives,~~
- ~~3. Adjusters,~~
- ~~4. Limited surety agents, or~~
- ~~5. Professional bail bond agents.~~

~~(b) Any self study program for:~~

- ~~1. Agents and customer representatives,~~
- ~~2. Limited surety agents,~~
- ~~3. Professional bail bond agents, or~~
- ~~4. Adjusters.~~

~~(10) "Course authority" means a category of content assigned to a course.~~

~~(11)(10) "Course Offering" means a unique offering of an approved classroom or seminar course, or a monitored exam of a self-study course, which includes a specific location, date(s), and time for the course or exam to be held; or a location, time and frequency of a monitored exam.~~

~~(11) "Course Provider" means a natural person, firm, institution of higher learning, partnership, company, corporation, society, or association offering, sponsoring, or providing courses approved by the Department in eligible continuing education subjects.~~

~~(12) "Credit hour" means a minimum of 50 minutes of classroom instruction or, for self-study courses, 50 minutes of time that is determined by the Department to be necessary to study text material in order to successfully complete the final examination one unit of credit based on a classroom hour or approved hour of credit for a seminar or self study program.~~

~~(13) "Day" means a calendar day inclusive of weekends and holidays.~~

~~(13) "Department" means the Florida Department of Financial Services or its designees.~~

~~(14) "Education Database" means the Department's online system for activity relating to approval of providers, school officials, courses, course offerings, instructors, and the filing of rosters and other information relating to continuing education courses required by rule or statute to be filed with the Department. The Education Database is accessed at <http://www.myfloridacfo.com/division/agents>.~~

~~(14) "Disciplinary action" means administrative action pursuant to regulatory laws which has been taken against an individual or course provider as a licensee or approved course~~

~~provider, instructor, supervising instructor, or school official for which:~~

~~(a) Probation, suspension, or revocation of any license (issued by this or any other state, country, or territory), approved status or other authority granted by regulatory laws has occurred; or~~

~~(b) A fine has been levied for a wrongdoing against a consumer, fellow licensee, or insurer.~~

~~(15) "Guest lecturer" or "speaker" means a natural person, not employed by the provider, who speaks at an approved seminar and whose resume is furnished by the course provider with the course application.~~

~~(15) "Dually licensed" means holding concurrently at least one license type and class in life or health line of business, and at least one license type and class in property or casualty line of business.~~

~~(16) "In-house" means courses or services available only to employees of an entity or for members of an association.~~

~~(16) "Evaluation" means a process of measuring success of courses or programs or the elements of courses and programs such as instruction, learning materials, and administration.~~

~~(17) "Formal program of learning" means:~~

~~(a)1. A structured class with an instructor and detailed outline, or~~

~~2. A self study course with text and structured lesson plans or study guide and exam.~~

~~3. Self study may include videos or cassette tapes.~~

~~(b) Formal program of learning does not mean:~~

~~1. A discussion group with or without a leader; or~~

~~2. A general review outline for an examination.~~

~~(18) "Geographic Area" means one of two areas within which bail bond pre-licensing courses or continuing education courses are offered.~~

~~(19)(a) "Hour" means 60 minutes of class or seminar time, of which at least 50 minutes shall be instruction, with a maximum of 10 minutes of break per hour, all of which shall be accounted for on the agenda or syllabus.~~

~~(b) For self study courses, "hour" means 50 minutes of time that is determined by the Department to be necessary to study text material in order to successfully complete the monitored final examination or on line internal testing.~~

~~(17)(20) "Incomplete application" or "incomplete form" means an application that contains errors, or omissions, or that requires additional or clarifying information or documentation, or is not submitted in accordance with the submission procedures in Rule 69B-228.180, F.A.C., as required by Rules 69B-228.040, 69B-228.050, 69B-228.060, 69B-228.080, and 69B-228.090, F.A.C.~~

~~(21) "In house", means an approved insurance continuing education course that is available only for employees of a~~

~~course provider or for members of an association, or for which eligibility for registration requires affiliation with the course provider.~~

~~(18)(22) “Instructor” means an individual registered with the Department who teaches an approved course or training program. Instructor includes supervising instructors for bail bond agent courses a natural person who has been approved by the Department and who teaches or otherwise instructs an approved continuing education classroom course or program.~~

~~(19)(23) “Insurance Association” means an organization that is involved in the insurance industry and meets the following criteria:~~

~~(a) The organization is composed of:~~

- ~~1. Individuals licensed to transact sell insurance or adjust insurance claims (agent or adjuster association);~~
 - ~~2. Companies authorized or admitted to transact insurance (company association);~~
 - ~~3. Business entities (insurance-related trade association);~~
- ~~or~~
- ~~4. Licensed and unlicensed individuals (insurance-related professional society), whether or not incorporated.~~

~~(b) The organization has:~~

- ~~1. Officers and a board of directors elected by the membership;~~
- ~~2. By-laws that establish requirements for membership;~~
- ~~3. Meeting schedules;~~
- ~~4. An agenda with an insurance-related purpose; and~~
- ~~5. At least ten actively enrolled members.~~

~~(24) “Interactive On-line” means a self-study course that is delivered to and taken by a student through the use of computer based technology with a connection to either a host home office computer or the internet.~~

~~(20) “Live” means broadcast while actually being performed; not taped, filmed, or recorded.~~

~~(25) “Monitor group” means a group designated by a course provider in an eligible occupational class, or an organized eligible group of individuals with a central coordinating person, approved by the Department to monitor self study exams for approved course providers.~~

~~(26) “Monitored examination” means an objective measurement of the comprehension of a self study program through a written or computer based examination unassisted by any person, textbooks, or other material under the supervision of a monitor from an approved monitor group.~~

~~(27) “Offering” is a specific time when a course that has been approved for continuing education credit is being held.~~

~~(28) “Office management” means:~~

- ~~(a) Office procedures;~~
- ~~(b) Internal activities relating to personnel management such as salary, incentives, annual reviews, office layout, and~~
- ~~(c) Other non-client oriented subjects.~~

~~(21) “Online course” means a self-study course delivered via the internet or other computer network.~~

~~(29) “On-line internal testing” means objective assessment and measurement of the comprehension of an interactive on-line self study program through examination unassisted by any person, text book, access to on-line study program materials, or other materials during the exam.~~

~~(22)(30) “Outline” or “syllabus” means a synopsis or condensed version of a course incorporating the main ideas, and listing the major sections, topics, and sub-topics to be discussed, showing the schedule of how a continuing education course is to be presented, including time allotment to subject matter and including break times by use of Roman numerals and alpha and numeric sub sections.~~

~~(23) “Present” means to appear in person, or by live connection through electronic means.~~

~~(24) “Provider” means any individual, partnership, organization, association, corporation, or other entity approved by the Department to conduct continuing education courses.~~

~~(25) “Provider records” means any documents relating to course approval, course offerings, attendance records, course completions or credits, course offering advertisements, and any other records required to be kept according to the Florida Insurance Code or any rule or order of the Department.~~

~~(31) “Printed material” as used in Section 626.2815(4)(j)2., F.S., does not exclude electronic text documents that are readily printable.~~

~~(32) “Property and casualty agent” refers to an agent who holds a type and class of licensure that authorizes the licensee to transact property, casualty, surety, or surplus lines insurance.~~

~~(26)(33) “Public,” when used in the context of a course, means a course that is available to any person, in contrast to an “in-house” course.~~

~~(34) “Sales promotion” means discussion of production levels or target markets or other demographics of a specialized nature in order to promote or effectuate sales.~~

~~(35) “Salesmanship” means methods designed to:~~

- ~~(a) Induce a prospect’s decision to buy, or~~
- ~~(b) Increase a licensee’s effectiveness at generating new business, premium volume, or~~
- ~~(c) Any other method or technique related to increasing customer base in any fashion.~~

~~(27)(36) “School official” means an individual designated as provided in Rule 69B-228.050, F.A.C., by a provider and approved by the Department who is responsible for the acts of the provider, including, but not limited to, the provider’s instructors and speakers and is subject to administrative action pursuant to Rule 69B-228.210, F.A.C. a natural person appointed by an approved course provider for other than bail bond agent courses to be responsible for:~~

(a) The timely filing of all required Department forms and documentation for courses, except for Form DFS H2 464, Application for Course Provider Approval, rev. 5/97, which is adopted in Rule 69B-228.180, F.A.C.; and

(b) The maintenance of necessary administrative records including class information, instructor qualification, course completion records, and attendance records.

(c) The school official is appointed on Form DFS H2-1137, Application for School Official Appointment, rev. 7/97 which is adopted in Rule 69B-228.180, F.A.C.

(37) "Secondary course provider" means:

(a) A course provider that seeks approval in Florida as a provider of self study courses using texts that:

1. May or may not be approved in Florida, and
2. Are developed and published by another provider of self study courses whether or not approved in Florida.

(b) It does not include any nationally recognized provider of self study courses or designation programs.

(28)(38) "Self-study course" is a term used to describe correspondence and online courses. means a course designed to be studied independent of an instructor's presence through:

- (a) Written, audio, or video materials, or
- (b) Computer technology, including disks, on line programs, or internet programs.

(29)(39) "Seminar" means a course designed to be presented to a group of students by a live instructor or guest lecturer using lecture, video, or other audio-visual presentation medium or method.:

(a) Using lecture, video, satellite, or other audio-visual presentation material by individuals with special expertise that has an approved speaker or instructor present during each presentation.

(b) Any number of times within 12 months from the date the seminar is approved by the Department.

(c) A seminar is not an on going class from year to year.

(d) Seminar courses are usually identified as conventions, conferences, or annual meetings.

(40) "Speaker" or "Lecturer" means a natural person whose speaking activities are usually national or international in nature with speaking schedules that are spread over a wide geographic area of two states or more and who:

- (a) Has special expertise,
- (b) Speaks at an approved seminar,
- (c) Is not employed by the course provider,
- (d) Is a professional lecturer,
- (e) Contracts for each offering, and
- (f) Whose resume is furnished by the course provider with the course application.

(41) "Supervising Instructor" means a natural person who is:

- (a) Approved by the Department,

(b) Appointed or employed by an approved course provider of bail bond agent continuing education courses, and

(c) Who may be responsible for one or more of the following activities of a Bail Bond Agent Course:

1. Certification to the supervising instructor of each attending bail bond agent;
2. Assuring that the course is approved prior to instruction;
3. Instruction of courses; and
4. Collection and transfer of course completion and attendance records to the supervising instructor.

(42) "Syllabus" means an agenda showing the schedule of how a continuing education course is to be presented, including time allotment to subject matter and including any meals and break times.

(43) "Title agent" refers to an agent who holds a type and class of licensure that authorizes them to:

- (a) Determine insurability of title, and
- (b) Issue title insurance.

(44) "Trade Association" means an association whose membership consists of legal business entities rather than individual persons as members.

(45) "Video" means VHS, Beta, 8 mm, or other film or television presentations of material.

(30) "Virtual classroom course" means a type of classroom course in which instruction is provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.

(31) "Webcast classroom course" means a type of classroom course delivered through interaction with a live instructor via the internet.

Rulemaking Authority 624.308, 626.2816(2), (3), 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), 626.2815, 626.2816, 626.869(5), 648.385, 648.386(2) FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.030, Amended 1-17-05, 8-3-09, _____.

69B-228.040 Course Providers.

(1) Application Procedure. An application for approval and registration to be a provider shall be electronically submitted to the Department on Form DFS-H2-464, Provider Application, which is incorporated by reference in Rule 69B-228.180, F.A.C. Course provider application process.

(a) No course provider shall offer a continuing education course until the course provider has been approved by the Department.

(b) Course provider applications shall be submitted to the Department prior to submission of any course approval application.

(c) Applications for course provider approval shall be submitted on Form DFS H2 464, Application for Course

~~Provider Approval, rev. 5/97, which is adopted in Rule 69B-228.180, F.A.C.~~

~~(2) Course provider approval: A course provider applicant shall be approved unless any of the grounds for disapproval listed in Rule 69B-228.210, F.A.C., below exist. :~~

~~(a) A contact person, a school official, or a supervising instructor has plead nolo contendere, plead guilty, been found guilty, or been convicted of a felony under the laws of the United States of America or of any state thereof or under the laws of any country.~~

~~(b) Disciplinary action has been taken against a contact person, course provider, officer, or school official employed by or providing services to the course provider.~~

~~(c) Has demonstrated a lack of competence or trustworthiness.~~

~~(d) The course provider, or a contact person, school official, supervising instructor, or course associated therewith, has not otherwise met the qualifications specified in this rule, or has violated any provision of this rule part.~~

~~(3) Provider General Requirements.~~

~~(a) A provider shall not offer a course that is required for licensure that has not been approved by the Department pursuant to this rule chapter. Course providers shall:~~

~~1. Maintain the records of each individual completing a course for 5 years from the date of completion including but not limited to the following records:~~

~~a. Registration forms.~~

~~b. Course fee payments.~~

~~c. Sign in sheets.~~

~~d. Other attendance verifications.~~

~~e. Monitor affidavits.~~

~~f. Records of self study text purchases from publishers.~~

~~g. Exam booklets.~~

~~h. Exam score sheets or records.~~

~~i. Electronic records relating to the completion of any applicable online, internet, or computer based course and related testing.~~

~~2. Produce on demand a physical copy of the certificates of completion whether maintained in hard copy or in computer records.~~

~~3. Be responsible for the compliance of their school officials, supervising instructors, instructors, speakers, and monitors with this rule chapter and the statutes implemented thereby.~~

~~4. Notify the Department within 30 days of a change in:~~

~~a. The provider, contact person, or school official telephone number,~~

~~b. The provider mailing address or administrative office address,~~

~~c. The provider name or ownership of the course provider,~~

~~d. The name of the school official, using Form DFS H2-465, Course Provider Information Update, rev. 7/97, which is adopted in Rule 69B-228.180, F.A.C., including related forms and necessary documentation.~~

~~5. Provide their complete street address if their mailing address is a post office box.~~

~~(b) The provider shall designate a school official who will be responsible for the actions of the provider on Form DFS-H2-464, Provider Application, which is incorporated by reference in Rule 69B-228.180, F.A.C. The provider shall inform the Department of a change in the designated school official within 30 days of the change. The provider must have at least one approved school official designated at all times. The provider shall not allow any individual to act as a school official who has not been approved as such by the Department.~~

~~Providers shall not:~~

~~1. Hold prep or cram courses prior to a self study exam or be considered the same as giving assistance during the examination for purposes of this rule.~~

~~2. Hold classroom courses on the same subject immediately preceding a self study exam to the same students who are taking the self study exam.~~

~~(c) Providers shall maintain the records of each individual course offering for 5 years from the end date including, but not limited to: may have a policy of providing a complimentary classroom course for students who fail a monitored exam or interactive on line testing program.~~

~~1. Attendance and completion records for each student.~~

~~2. Student identity verification.~~

~~3. Resume and other qualification documentation for instructors.~~

~~4. Course outline, test, quiz and exam, instructor notes, and other materials used during the offering of the course.~~

~~5. Registration material.~~

~~6. Records of fees charged to students, payments, or purchases of required textbooks, manuals, or other materials used in the course.~~

~~(d) Providers shall certify that course instructors are experienced and qualified in the subject to be taught and meet the qualification requirements of this rule chapter.~~

~~(e) Providers shall produce on demand to the Department a physical or electronic copy of any record required to be maintained.~~

~~(f) Providers shall submit within 30 days, in accordance with the submission procedures in Rule 69B-228.180, F.A.C., any changes to the following information of the provider or school official: personal or business name, federal tax identification number, ownership, telephone number, mailing address, email address, or administrative office address.~~

~~(4) Self-study course providers shall:~~

(a) Have the same responsibilities for record keeping as any other provider. ~~The course provider shall diligently examine the course completion records to maintain the integrity of the grades reported.~~

(b) Provide documentation of at least 3 years experience as a provider of educational or training programs, or

(c) Provide documentation of credentials of at least one person who is on staff or under contract to provide course development services who has:

1. A college degree in instructional design and program development or comparable field, and

2. Documented experience and ability in writing self-study exams, and

3. At least 5 years of experience in development of self-study programs which do not include authorship of textbooks or other writings alone, ~~or~~

~~(d) Apply to be approved as a secondary course provider by complying with the requirements in paragraph 69B-228.080(11)(d), F.A.C., when submitting course applications.~~

~~(5) Course providers offering courses for bail bond agents shall:~~

~~(a) Provide a minimum of three continuing education course offerings per calendar year;~~

~~(b) Submit a course curriculum to the Department for approval;~~

~~(c) Offer a minimum of two hours of approved coursework per class;~~

~~(d) Offer classes that are taught by an approved supervising instructor; and~~

~~(e) Offer classes in at least two geographic areas of the state until the Department determines that there are adequate offerings statewide.~~

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), ~~624.501(20)~~; 626.2815, 626.2816, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.040, Amended _____.

69B-228.050 Supervising Instructor for Bail Bond Agent Courses and School Officials.

(1) An initial application for supervising instructor and school official approval and registration is part of the application for provider approval in accordance with Rule 69B-228.040, F.A.C. If a provider wants to appoint a new or additional supervising instructor or school official, the provider shall electronically submit to the Department an application for approval and registration on Form DFS-H2-1137, School Official/Supervising Instructor Application, which is incorporated by reference in Rule 69B-228.180, F.A.C.

(1) A school official of required continuing education courses shall be appointed by an officer of the course provider, using Form DFS H2 1137, Application For School Official

~~Appointment, rev. 7/97, which is adopted in Rule 69B-228.180, F.A.C.;~~

(2) The Department shall not approve a supervising instructor or school official if:

(a) The School Official/Supervising Instructor Application form is incomplete.

(b) There has been any disciplinary action taken against any license or eligibility for a license issued by this state or any other state, country or territory.

(c) The school official or supervising instructor has otherwise violated any insurance regulation, including this rule chapter.

(d) The school official or supervising instructor has been found guilty of or has pleaded guilty or nolo contendere to a felony or crime punishable by imprisonment of one year or more under the laws of the United States of America or of any state thereof or under the laws of any country or territory.

(e) The school official or supervising instructor is not in compliance with any continuing education requirements.

(3) A supervising instructor must meet the requirements in paragraph 648.386(4)(b), F.S., to be approved by the Department.

~~(2) Application for approval of a school official shall be submitted with the initial application for course approval on Form DFS H2 1137, Application for School Official Appointment, rev. 7/97, which is adopted in Rule 69B-228.180, F.A.C.~~

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), ~~624.501(20)(c)~~; 626.2815, 626.2816, 626.869(5), 648.385, 648.386 ~~648.36~~ FS. History—New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.050, Amended _____.

69B-228.060 Instructors and Guest Lecturers Supervising Instructors.

(1) An application for registration as a course instructor shall be electronically submitted to the Department by the individual on Form DFS-H2-398, Instructor Application, which is incorporated by reference in Rule 69B-228.180, F.A.C. Continuing Education Courses. Instruction in continuing education courses shall be provided by instructors who possess the following qualifications:

(2) Providers shall certify that course instructors are: registered with the Department; experienced and qualified in the subject matter to be taught; qualified to act as an instructor in accordance with the criteria listed in paragraphs (2)(a), (b) or (c) below; and not disqualified pursuant to paragraph (2)(d) below.

(a) For all continuing education courses except bail bond, a registered instructor must meet at least one of the following requirements: agent, customer representative, and adjuster courses, at least 2 of the following:

1. Have at least 10 years working experience in the subject matter in the last 20 years A minimum of 5 years of substantially full-time working experience in the last ten years in the subject matter being taught.

2. Have at least 200 hours instructing in the subject matter in the last 4 years Completion of a course on training techniques or methods of instructing adults as certified by a nationally recognized course provider whose purpose is to review, evaluate and rate such courses. Such a course shall be a minimum of 40 hours of instruction.

3. Possess a chartered property and casualty underwriter (CPCU) or chartered life underwriter (CLU) designation A minimum of 40 hours of teaching experience in the last two years.

4. Have a Risk Management Insurance degree A professional designation from a recognized industry association in the line of business of the subject being taught.

5. Be a member of the Florida Bar with 2 years experience litigating in the subject matter; or A degree from an accredited school in the subject matter being taught.

6. Membership in the Florida Bar Association with minimum of 2 years of law practice or counsel in the subject area being taught.

(b) For all continuing education courses except bail bond, a registered instructor must meet at least two of the following requirements:

1. Have at least 5 years working experience in the subject matter in the last 10 years.

2. Have at least 40 hours of instructional experience in the last 4 years.

3. Possess a Bachelors degree or higher in the subject matter.

4. Possess a professional designation recognized by the insurance industry in the subject matter.

(c) ~~(b)~~ For bail bond agent courses, a registered instructor must meet the qualifications set forth in subsection 648.386(4), F.S., subject to the limitations imposed in Rule 69B-228.210, F.A.C.:

1. During the past 10 years, the person must have had At least 5 years' experience as a manager or officer of a managing general agent in this state as prescribed in Section 648.388, F.S.,

2. During the past 10 years, the person must have had At least 5 years' experience as a manager or officer of an insurer authorized to and actively engaged in underwriting bail in this state, provided there is a showing that the manager's or officer's experience is directly related to the bail bond industry; or

3. The person has been a licensed bail bond agent in this state for at least 10 years.

~~(2)(a) Certification of the instructor's experience or education shall be furnished by the sponsoring course provider or the instructor on Form DFS H2-398, Certification of Instructor, rev. 6/97, which is adopted in Rule 69B-228.180, F.A.C., or on Form DFS H2-1269, Application for Supervising Instructor Approval, rev. 2/99, which is adopted in Rule 69B-228.180, F.A.C., whichever is applicable.~~

~~(b) Certification shall be received by the Department or its designee and approved prior to the beginning of the course.~~

~~(c) Individuals may submit Certification of Instructor Forms or Application for supervising Instructor Approval forms independent of any school with only the applying instructor's signature. If an individual submits a certification form, a resume shall be attached.~~

~~(d) A provider shall not authorize an instructor to teach an approved course if: The Department will not approve an instructor or supervising instructor if:~~

~~1. The Certification of Instructor Form or Application for Supervising Instructor Approval form is incomplete,~~

~~1.2. There has been any disciplinary action taken against any license or eligibility for a license issued by this or any other state, country or territory;~~

~~2.3. The instructor or supervising instructor has otherwise violated any insurance regulation, including this rule chapter;~~

~~3.4. The instructor or supervising instructor has been found guilty of or has pleaded guilty or nolo contendere to a felony or crime punishable by imprisonment of one year or more under the laws of the United States of America or of any state thereof or under the laws of any country or territory; or~~

~~4.5. The instructor or supervising instructor is not in compliance with any applicable continuing education requirements.~~

~~5. The instructor is a Department employee.~~

(3) Providers shall maintain as a part of the providers' records a written statement from each instructor certifying that the instructor is qualified as an instructor, the basis for qualification, and that the instructor shall comply with all course requirements as outlined in this rule chapter.

(4) Providers shall immediately terminate the qualified status of any instructor at any time before or after being approved as an instructor for any of the following:

(a) The instructor is found not to qualify.

(b) The instructor becomes disqualified pursuant to paragraph (2)(d) above.

(5)(3)(a) The Department shall have the right to review provider existing records of approved instructors and supervising instructors and to terminate the approved status of any instructor or supervising instructor found to have had any disciplinary action taken against any license issued by this or any other state, country, or territory, at any time before or after being approved as an instructor or supervising instructor.

~~(6)(b) Providers~~ School officials and applicants are responsible for verifying eligibility of instructors or supervising instructors before the course is offered ~~submitting for approval~~.

~~(4) The Department shall have the right to review existing records of approved instructors or supervising instructors and terminate approved status for any instructor found to not qualify.~~

~~(7)(5)(a) Approved~~ Instructors or supervising instructors for approved classroom courses shall display a photo ID to any Department auditor who conducts an official audit during their instruction time.

~~(b) Instructors or supervising instructors who are also licensees in Florida with a photo ID license may use their license photo ID card for identification.~~

~~(8)(6)(a) Instructors and supervising instructors shall have the authority and responsibility to deny credit to anyone who disrupts the class or is inattentive.~~

~~(b) Based on the course providers' policies, refunds may be given.~~

~~(b)(c) It shall be considered a violation of this rule if an instructor knowingly allows the~~ The following activities of students during approved class time, ~~if knowingly allowed by an instructor, supervising instructor, or school official, shall be considered to be a violation of this rule chapter:~~

1. Sleeping;
2. Reading of non-course books, newspapers, or other non-course material;
3. Using a cellular phone or other electronic device except to take class notes or to complete mathematical or other course-related exercises;
4. Leaving the class other than during an authorized breaks or emergency.

~~(d) Penalties will be assessed against licensee, instructor, supervising instructor, and course provider as provided in Rules 69B-228.210 and 69B-228.220, F.A.C.~~

(9) Guest Lecturers.

(a) Providers may use guest lecturers:

1. Only in conjunction with seminar courses.
2. When at least one qualified instructor is also present.

~~(7)(a) Department employees shall not be approved as instructors or supervising instructors.~~

(b) Department employees may be permitted to serve as guest lecturers or presenters if accompanied by a qualified approved instructor for the appropriate course. ~~(c)~~ Such instances shall be approved in advance by the Department of Financial Services, Bureau of Licensing, in conjunction with the course approval process.

~~(c)(d)~~ A resume of the guest lecturer ~~or presenter~~ shall be maintained in the provider's records for a minimum of 5 years after the offering of the course submitted to the Department

~~along with an outline of the material and amount of instruction time to be covered by the Department employee.~~

(10) Providers shall provide a list of all qualifying instructors and guest lecturers who will teach an approved course in conjunction with the submission of a course or course offering application.

~~(8) If an instructor or supervising instructor who is required to meet a continuing education requirement relative to an insurance license issued by the Department is deemed to be non-compliant with the requirement, the instructor or supervising instructor approval status shall be suspended until the instructor or supervising instructor meets the requirement.~~ Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), 624.501(20)(c), 626.2815, 626.2816, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.060, Amended 1-17-05, _____.

Substantial rewording of Rule 69B-228.080 follows. See Florida Administrative Code for present text.

69B-228.080 Course Approval; Requirements; Guidelines.

(1) Application Procedure. An application for course approval shall be electronically submitted to the Department on Form DFS-H2-1268, Course Application, which is incorporated by reference in Rule 69B-228.180, F.A.C.

(2) Requirements for All Courses:

(a) No course for continuing education credit shall be taught unless previously approved by the Department.

(b) Each course must provide instruction of no less than the hours for which it was approved.

(c) The course must be taught in the method for which it was approved.

(d) A provider may not use copyrighted material without the expressed written consent of the owner of such material.

(e) The following courses shall qualify for approval:

1. Courses that are part of a national designation program named in the continuing education law, section 626.2815, F.S.; or

2. Any insurance-related course as referenced in subsection 626.2815(3), F.S.

(f) Courses that do not meet the criteria of paragraph (e) above must meet the following criteria to qualify:

1. The course must have significant intellectual or practical content and enhance the insurance knowledge, understanding, ethics, or professional competence of the licensee; and

2. The course must promote an increase in technical knowledge of insurance principles, coverages, laws or regulations utilizing the most recent policy forms and laws.

(g) Course content shall not qualify for continuing education credit approval if it is:

1. Designed to prepare students for license examination.

2. Teaching:

a. General account, other general business skills, computer use, or computer software application use.

b. Accounting or tax preparation in connection with the internal business of the licensee.

c. Motivation or salesmanship or sales promotion.

(I) "Salesmanship," as used herein, means methods designed to:

(A) Induce a prospect's decision to buy;

(B) Increase a licensee's effectiveness at generating new business, premium volume; or

(C) Increase customer base in any fashion.

(II) "Sales promotion," as used herein, means discussion of production levels or target markets or other demographics of a specialized nature in order to promote or effectuate sales.

d. Skills on goal setting, time management, communication, stress management or marketing.

3. Relating only to the organizational procedures, internal policies, or marketing and business practices of an insurer or any other employer, including meetings held in conjunction with the general business of the licensee.

4. Primarily intended to impart knowledge of specific products of specific companies, if the use of the products relates to the sales promotion or marketing of one or more of the products discussed.

5. A course with the same content as another course that has already been approved by the Department for the same course provider.

6. Copyrighted material without an authorization letter from the owner, if the owner is not the submitting course provider.

(3) Additional Requirements for Classroom Courses:

(a) The provider shall submit the following:

1. A 3-tiered outline of approximately one page per 50 minutes of instruction and a syllabus.

2. Any other course specific material requested by the Department.

(b) In addition, webinar and virtual classroom courses must meet the following requirements:

1. The course title must specify the method by containing the words "Webcast," "Webinar" or "Virtual Classroom."

2. The course must employ some type of monitoring method to verify all students are participating throughout the course.

3. Online access for the Department to review the course.

4. Upon completion, each student is required to sign an acknowledgement verifying attendance and completion of the entire course. The acknowledgement shall also include a

statement that the student understands that a violation of such standards shall result in an administrative sanction based on paragraph 626.611(1)(g), F.S., and the loss of course credit.

(4) Additional Requirements for Seminar Courses:

(a) Providers shall indicate on the Course Application Form whether partial credit is desired and shall keep attendance records for each separate part.

(b) Courses shall expire 12 months from the approval date.

(c) Providers shall submit the following:

1. An outline of course instruction.

2. A copy of the program agenda.

3. A list of each speaker presenting.

4. Any other course specific material requested by the Department.

(5) Additional Requirements for Correspondence Courses:

(a) Students must be provided a response to their inquiries within 2 business days from the date of the inquiry.

(b) Students are required to acknowledge their understanding that the course must be completed without assistance. The student acknowledgement shall also include a statement that the student understands that a violation of such standards shall result in an administrative sanction based on paragraph 626.611(1)(g), F.S., and the loss of course credit.

(c) The provider shall submit the following:

1. Description of how students will be provided a response to their inquiries.

2. A copy of the final examination and how it will be administered.

3. An electronic copy of all course content.

(d) Any other course specific material requested by the Department.

(6) In addition to the requirements in subsection (5), online interactive correspondence courses are subject to the following requirements:

(a) Online access for the Department to review the course.

(b) Description of how the students will access the course.

(c) Procedures to verify student identity at registration and throughout the duration of the course, including examinations.

(7) Blended courses must satisfy the requirements for all of the study methods being requested and must include the words "Blended Course" in the course title.

(8) Materials and speeches used in subsequent offerings of approved courses shall be updated to maintain currency of the information.

(9) Course difficulty level shall be determined based on the experience level of the licensee that the course was designed to serve.

(a) Basic: A course designed for entry-level licensees or licensees new to the subject matter.

1. Basic course elements:

a. Learning objectives that are intended to provide the student with a basic knowledge and comprehension of the subject matter;

b. Significant course time is devoted to building appropriate terminology, definitions and concepts of the subject matter, such as forms and coverage issues;

c. Focus of the course is an introduction to or fundamentals of the subject matter rather than application of the subject matter.

(b) Intermediate: A course designed for licensees who have existing competence in the subject matter and seek to further develop and apply those skills.

1. Intermediate course elements:

a. A limited review, up to a 25 percent maximum of total course time or material, of terms, definitions and concepts considered to be basic concepts of the subject matter;

b. Significant course time is devoted to the application of basic concepts to client specific situations through case studies, problem solving exercises, calculations and other related tools;

c. Analysis of Florida Statutes, Department rules and relevant case law.

(c) Advanced: A course designed for licensees who have a strong foundation and high level of competence in the subject matter.

1. Advanced course elements:

a. Analysis of more sophisticated or complex issues concerning the subject matter;

b. Technical analysis of the theory underlying the subject matter;

c. Ideas considered to be leading edge within the subject matter;

d. Complex case studies, calculations or other related analysis tools.

(10) Credit hours for self-study courses shall be calculated by:

(a) Dividing the total number of words submitted in the course text, excluding images, graphics and examination questions, by 180 (documented average reading time) to get the number of minutes. Divide the number of minutes by 50 to get basic level credit hours. Multiply the number of basic credit hours by 1.25 for an intermediate level course and 1.50 for an advanced level course. Fractional hours rounded up if .50 or above and rounded down if .49 or less.

1. Any course that includes interactive material, including, but not limited to, audio or video, shall be accompanied by text dictation of the interactive material.

a. The text dictation for interactive material shall not be included in the course text word count.

b. The total run time of interactive material shall be included in the calculation of credit hours.

(11)(a) Except as provided in paragraphs (11)(b) and (c), courses will not be approved for more than 24 hours of credit per course regardless of total class hours, number of consecutive sessions in a seminar, or volume of text required for self-study.

(b) Courses for bail bond agents will not be approved for more than 14 hours per course.

(c) Courses for title agents will not be approved for more than 10 hours per course.

(12)(a) Approval of courses which have not been offered for a period of 2 years shall expire.

(b) Future use of the courses requires a new fee and application.

(c) "Use" means the activity of presenting the classroom course and submitting Form DFS-H2-400, Attendance Roster Detail, which is incorporated by reference in Rule 69B-228.180, F.A.C.

(13) Self-Study Examinations.

(a) A comprehensive final examination shall be given at the end of each self-study course.

(b) All time used for examination shall be in addition to required course hours.

(c) Self-study examination questions for other than interactive on-line courses shall be referenced back to the text. If requested by the Department, the school official or course provider representative shall identify the location in the text of the answer for a particular question on an exam.

(d) Except for designation programs named in section 626.2815, F.S., self-study course exams shall:

1. Have a minimum of 10 questions for 1 credit hour with an additional 5 questions for each subsequent credit hour.

2. Be substantially revised annually for each course unless examinations are updated with each course sold.

(e) A licensee must achieve a grade of 70 percent or more to be eligible to receive credit.

(f) The student shall not have possession of the answers for either in-state or out-of-state examinations after completion of the examination.

(g) Self-study course exam grades may not be curved or rounded up to achieve a passing score.

(h) Students of self-study courses shall not grade their own exams or each other's exams.

(i) Self-study exams may not include:

1. True or False questions.

2. Obvious or tricky questions.

3. Question stems that:

a. Do not track study material. For example, text says "contract" and the question uses the term "Form" or "Policy."

b. Do not provide enough information to determine the correct answer.

c. Are not clear and concise.

4. Answer choices that:

a. Are not in parallel form.

b. Are of the best answer variety, multiple response, or all of the above.

c. Are inadequately keyed responses.

d. Do not have enough information in the correct answer.

(14) Effective October 1, 2014, a curriculum outline for a 5-hour law and ethics update course shall be approved by the Department on Form DFS-H2-2081, 5-hour Law and Ethics Update, or Form DFS-H2-2111, 5-Hour Law and Ethics Update – Bail Bonds, which are incorporated by reference in Rule 69B-228.180, F.A.C.

(a) A 5-hour law and ethics update course shall be approved in any of the following authorities:

1. Life (Including Annuities and Variable Contracts).

2. Health & Life (Including Annuities and Variable Contracts).

3. Health.

4. General Issue.

5. Adjuster.

6. Public Adjuster.

7. Bail Bonds.

(b) The course shall not be approved for less than 5 hours and 5 hours of the course must follow the curriculum outline approved by the Department including discussion on the following subjects:

1. Regulatory Awareness.

2. Insurance Law and Updates.

3. Ethical Requirements.

4. Industry Trends.

5. Disciplinary Trends and Case Studies.

6. Premium Discounts, excluding adjusters and public adjusters.

7. Suitability of Products and Services, excluding adjusters and public adjusters.

(c) An approved 5-hour course shall expire one year after its approval date.

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 215.322(3)(b), 624.307(1), 624.501(19)(d) ~~(20)~~, 626.2815, 626.2816, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.080, Amended 1-17-05, _____.

Substantial rewording of Rule 69B-228.090 follows. See Florida Administrative Code for present text.

69B-228.090 Course Offerings and Attendance Records.

(1)(a) Each provider must electronically submit a course offering on Form DFS-H2-397, Offering Application, which is

incorporated by reference in Rule 69B-228.180, F.A.C., each time an approved course is offered. The application must be submitted to the Department at least 5 business days, but no more than 1 year, prior to the date and time the course is offered.

(b) National course offerings for classroom courses being held outside of the State of Florida shall be submitted no later than 5 business days from the completion date of the course. A national course, as defined herein, means an approved program of instruction in insurance related topics, offered by an approved provider, and leads to a professional designation or is a course offered to individuals who must update their designation once it is earned.

(2) Changes to approved course offerings must be electronically submitted by the provider in accordance with the submission procedures in Rule 69B-228.180, F.A.C., on Form DFS-H2-397, Offering Application, and be approved by the Department prior to the date when the change will be effective.

(3) Classes must be in session on scheduled dates during specified hours. Instructional time submitted on the course offering application shall match the number of hours on the corresponding Department-approved course.

(4) Additional Requirements for Classroom or Seminar Course Offerings:

(a) Classroom courses must be taught by an instructor registered with the Department pursuant to this rule chapter and qualified to teach on the subject matter pursuant to Rule 69B-228.040, F.A.C.

(b) Seminar courses must be taught by a registered instructor or the guest lecturer named on the course application filed by the provider.

(c) The registered instructor must be present for the duration of the course.

(d) Assigned room numbers and building names shall be included on the course offering form unless the street address is inclusive of the room location.

(e) The class or seminar shall be held in an area readily accessible for audit by an authorized Department employee.

(f) Students shall be provided with a syllabus containing, at minimum:

1. The course title;

2. Times and dates of the course offering;

3. The name, business address, email address and telephone number of the sponsoring course provider; and

4. A detailed outline of the subject matter to be covered for classroom courses, or workshop summaries for seminars.

(g) The provider shall verify student identity with the student's government- issued photo ID for each offering.

(5) The course outline approved by the Department must be taught in its entirety at each offering.

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), 626.2815, 626.2816, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.090, Amended.

69B-228.100 Certification of Students.

~~(1)(a) The provider shall electronically submit to the Department a completed Form DFS-H2-400, Attendance Roster Detail, which is incorporated by reference in Rule 69B-228.180, F.A.C., of all students who have satisfactorily completed the course. The Roster must be received by the Department within 21 days after course completion. A completed Certificate of Completion shall be issued to each person completing a continuing education course. The name, address and license number of the student shall be filled in on the Certificate of Completion by the course provider.~~

~~(b)1. Course providers shall submit a completed roster of all students who complete a classroom course, seminar, or self study examination.~~

~~2. The roster shall be received by the Department within 20 days after the course completion date on the approved schedule of course offering.~~

~~3. If credit for instruction is requested, the roster shall also include:~~

- ~~a. The instructor's full name,~~
- ~~b. License number, and~~
- ~~c. The number of hours taught.~~

~~(c) Rosters for completion of self study examinations out of state may be sent once a month on the last day of the month, or when the last results of examinations for that month are completed.~~

~~(d) Rosters for all courses, if submitted electronically, shall be submitted to the Department using the Department-supplied software.~~

~~1. The provider shall use a 3.5" micro diskette or other transmittal means as specified by the Department based on current computer requirements.~~

~~2. The diskette shall be accompanied by Form DFS-H2-1111, Computer Transmittal Form, rev. 4/98, which is adopted in Rule 69B-228.180, F.A.C.~~

~~(2)(a) Form DFS-H2-1668, Certificate of Completion, which is incorporated by reference in Rule 69B-228.180, F.A.C., shall be issued to each person satisfactorily completing a course. "Satisfactory completion," as used herein, shall mean:~~

~~(a) Attendance or instruction of an entire classroom or seminar course; or~~

~~(b) Achieving a minimum score of 70 percent on the final examination of a self- study course; or~~

~~(c) Attendance or instruction of a partial-credit session of a seminar course.~~

~~Classroom study method courses shall be attended or completed in their entirety in order for a licensee to receive credit.~~

~~(b) Providers may not issue certificates of completion to students who do not attend or complete the entire continuing education course.~~

~~(3)(a)(e) At the discretion of the sponsoring course provider, students may miss a class and attend a makeup class to complete the attendance requirement upon a showing of good cause.~~

~~(b)(d) "Good cause," as used herein, means an incident or occurrence which is beyond the control of the applicant and which prevents compliance. Examples of good cause include disabling accident, illness, call to military duty, or declared national emergency.~~

~~(e) The sponsoring course provider may hold makeup sessions to accommodate any student.~~

~~(3)(a) Seminar study method courses will be evaluated for the total number of hours of credit possible at the event.~~

~~(b) Providers may issue certificates of completion to students who do not attend the entire seminar if the seminar is made up of individual workshops or sessions where the subject presentation is completed in each workshop, such as conventions and annual meetings.~~

~~(c) Attendees may receive less credit than the total possible by attending fewer than the total possible sessions.~~

~~(4)(a) Licensees shall maintain records of all course completions for 5 years from the completion dates.~~

~~(b) Failure to maintain these records shall result in the Department relying solely on the submitted documents from course providers and Department records for compliance verification.~~

~~(c) The number of hours credited to a licensee's record will include only time spent on approved educational offerings.~~

~~(d) The number of approved hours for a course will include only the hours of approved subjects.~~

~~(4)(5) Requirements for Certificates:~~

~~(a) Certificates must shall be issued as soon as attendance records can be verified and shall be issued within 30 days of the completion date the student completes the course of the class or seminar.~~

~~(b) A certificate must contain the following information:~~

- ~~1. Name of the student.~~
- ~~2. License number of the student.~~
- ~~3. The provider name.~~
- ~~4. The provider ID number.~~
- ~~5. The course ID number.~~
- ~~6. The course offering ID number.~~
- ~~7. The name of the course.~~
- ~~8. The name of the instructor.~~

9. The instructor ID number.

10. The completion date of the course.

11. The date the certificate was awarded.

12. A statement certifying that the person named on the certificate has successfully completed an insurance course taught in compliance with the rules of the Department.

13. The signature of the school official.

14. In addition, certificates for self-study courses must include the final examination score.

~~(6) Neither students nor instructors may earn continuing education credit for attending or instructing at any subsequent offering of the same continuing education course for three years after attending or teaching the course.~~

~~(7)(a) Each approved course provider shall maintain accurate attendance records containing:~~

- ~~1. The name, date, and location of the offering;~~
- ~~2. Documentation that an ID was checked;~~
- ~~3. Name and license ID number of licensee;~~
- ~~4. Proof of at least 2 attendance checks for class and seminar courses over 4 hours; and~~
- ~~5. A statement signed by the instructor or school official that the attendance records are correct.~~

~~(b) Records shall be maintained by the approved course provider and shall be available to the Department for a period of 5 years after each completion of an offering.~~

~~(c) Attendance records shall be submitted to the Department only if they are requested by the Department.~~

~~Rulemaking Authority 624.308, 626.2816 FS. Law Implemented 624.307(1), 624.501(20)(e), 626.2815, 626.2816, 626.869(5) FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.100, Amended _____.~~

69B-228.110 Textbooks.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.110, Repealed _____.

69B-228.120 Course Fees.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.120, Repealed _____.

69B-228.130 Facilities.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.130, Repealed _____.

69B-228.150 Advertising.

(1)(a) An approved course provider that places or causes to be placed an advertisement for a continuing education course bears sole responsibility for the content of the advertisement and its compliance with this rule chapter. Courses shall not be advertised in any manner as an approved

~~insurance continuing education course unless course approval has been granted, in writing, by the Department.~~

~~(2) Only courses approved by the Department can be advertised as such. (b) The wording “approval pending” or similar language is prohibited since it is inherently misleading.~~

~~(3)(2) Advertising shall be truthful, clear, and not deceptive or misleading.~~

~~(4)(3) Advertising of approved continuing education courses shall be clearly distinguishable from the advertisement of all other courses and services which have not been approved to meet continuing education requirements. Advertising shall display the name and provider number of the course provider.~~

~~(5)(4) Advertising Requirements: A school official shall not advertise independent of an approved provider.~~

~~(5)(a) Advertisements for Florida continuing education courses shall include: Continuing education advertising relating to approved continuing education courses shall include the following statement: “This course has been approved by the Florida Department of Financial Services for insurance continuing education credit.”~~

1. The name of each approved provider and provider ID number as on record with the Department.

2. The name of each approved course and course ID number as on record with the Department.

3. The number of hours approved for Florida continuing education credit. If the course is longer than the number of hours of Florida continuing education credit to be given, the advertisement shall clearly state that credit is not earned for the entire course.

4. Continuing education advertising related to an approved continuing education course shall include the following statement: “This course has been approved by the Florida Department of Financial Services for insurance continuing education credit.” This statement shall be prominently displayed on the advertisement.

~~(b) In addition, advertising for courses that will satisfy the 5-hour law and ethics requirement shall include the insurance license classification for which the course has been approved as stated in the course approval from the Department. The statement shall be prominently displayed on any pamphlet, advertisement, or circular.~~

~~(c) The number of hours for which a course has been approved shall be prominently displayed on continuing education advertisements or circulars, and shall differentiate between approved continuing education credit hours and non-credit hours.~~

~~(6)(a) If the course is longer than the number of hours of credit to be given, it shall be clear that credit is not earned for the entire course.~~

~~(b) Advertising of approved continuing education courses shall be clearly distinguishable from the advertisement of all other courses and services which have not been approved to meet continuing education requirements.~~

~~(7) Advertising for continuing education courses shall include language regarding course levels as described in Rule 69B-228.080, F.A.C.~~

~~(8) Advertising of several courses together to represent a single offering shall identify each course separately with the approved course names, credit hours, and course ID numbers.~~

~~(9) Advertising of continuing education courses shall show the name of the entity as shown on the Application for Entity, as incorporated in Rule 69B-228.180, F.A.C.~~

~~(6) (10) Advertising of continuing education shall not include any sales promotion wording for any entity that may be underwriting the cost of the course for the participants.~~

~~(11) Advertising of self study courses shall not include a guarantee of passing the monitored examination.~~

~~(12) An approved course provider that places, or causes to be placed, advertisement for continuing education courses bears sole responsibility for the content of the advertisement and its compliance with all applicable regulations.~~

~~(13) Advertising of continuing education courses shall include the insurance representative license classification for which a course has been approved as stated in the course approval letter from the Department.~~

Rulemaking Authority 624.308, 626.2816, 626.9611 FS. Law Implemented 624.307(1), 626.2815, 626.2816, 626.869(5), 626.9541(1)(b) FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.150, Amended _____.

69B-228.160 Prohibited Practices.

(1) A provider, school official, supervising instructor, instructor or any personnel under their purview, shall not:

(a) Fail to notify the Department within 30 days of a change in personal or business name, ownership or contact information.

(b) Fail to notify the Department in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony or crime punishable by imprisonment of 1 year or more under the laws of the United States or of any state thereof, or under the law of any other country or territory without regard to whether the judgment of conviction has been entered by the court having jurisdiction of the case pursuant to subsection 626.621(11), F.S.

(c) Fail to submit to the Department a copy of the order, consent order, or other relevant legal documents within 30 days after the final disposition of an administrative action taken against the provider, school official, instructor or an employee of the provider by a governmental agency or other regulatory agency in this state or any other state or jurisdiction relating to the business of insurance, education, the sale of

securities, or an activity involving fraud, dishonesty, trustworthiness, or breach of fiduciary duty.

(d) Offer a continuing education course before the provider has been approved by the Department.

(e) Offer a continuing education course before the course has been approved by the Department.

(f) Teach or instruct any material during the course offering within the time allotted for continuing education credit other than what has been approved by the Department.

(g) Submit a course offering application less than 5 calendar days before the first date of class.

(h) Allow the instruction of a classroom course by a instructor who is not registered with the Department and qualified to teach on the subject matter.

(i) Award credit for a course that was offered prior to the approval date of the course application by the Department.

(j) Issue certificates of completion to, or report on a roster, students who did not attend or complete the entire continuing education course.

(k) Advertise a course in any manner as an approved insurance continuing education course unless course approval has been granted, in writing, by the Department.

(l) Advertise a course with the words “approval pending” or similar misleading language.

(m) Advertise the guaranteed passing of an approved continuing education course examination.

(n) Omit required information on a course advertisement.

(o) Fail to issue a certificate of completion to any student who has satisfactorily completed the course within 30 days following completion of the course.

(p) Fail to submit the required student information on the Attendance Roster Detail Form within 21 days following the completion date of the course.

(q) Make any change to an approved course offering prior to Department approval.

(r) Make any misrepresentation, omission or concealment regarding any information requested by or document provided to the Department.

(s) Conduct a class for less than the total approved hours.

(t) Fail to maintain required records for at least 5 years.

(u) Allow any individual to perform any duties of a school official who is not approved as such by the Department.

(v) Offer or teach a course without the written consent of the approved provider.

(w) Provide answers to or offer assistance on any continuing education related examination.

(x) Solicit or receive, directly or indirectly, information from a person regarding that person’s, or another person’s, MyProfile login information, or any other login information that is related to any database located, operated or administered on or through the Department’s website.

	FORM	TITLE	REVISED
(a)	DFS-H2-397	Schedule of Course Offerings Application	rev. 4/01 3/14
(b)	DFS-H2-398	Certification of Instructor Application	rev. 4/01 3/14
(c)	DFS-H2- 1668 399	Certificate of Completion	rev. 4/98 2/06
(d)	DFS-H2-400	Attendance Roster Detail	rev. 2/01 3/14
(e)	DFS-H2-460	Request for Extension of Time	rev. 2/99 10/02
(f)	DFS H2 463	Nonresident Agent Certification	rev. 11/00
(f g)	DFS-H2-464	Application for Course Provider Approval	rev. 11/00 3/14
(h)	DFS H2 465	Course Provider Information Update	rev. 11/00
(i)	DFS H2 501	Appointment Form	rev. 6/00
(g j)	DFS-H2-1106	Statement of Government Status	rev. 12/96 10/02
(k)	DFS H2 4408	Statement of Adjuster Status	rev. 8/98
(h l)	DFS-H2-1109	Reduction of Continuing Education Requirement Application for CLU/CPCU/College Degree + Experience Status	rev. 4/98 10/14
(m)	DFS H2 4444	Computer Transmittal Form	rev. 4/98
(i n)	DFS-H2-1137	Application for School Official/Supervising Instructor Appointment	rev. 11/00 3/14
(j o)	DFS-H2-1268	Application for Course Application Approval	rev. 11/00 3/14
(p)	DFS H2 4269	Application for Supervising Instructor Approval	rev. 11/00
(k q)	DFS-H2-2081	5-Hour Law and Ethics Update http://www.flrules.org/Gateway/reference.asp?No=Ref-02993	eff. 10/14
(l r)	DFS-H2-2111	5-Hour Law and Ethics Update – Bail Bonds http://www.flrules.org/Gateway/reference.asp?No=Ref-02994	eff. 10/14

(y) Violate any provision of this rule chapter.

(2) The following activities of students shall be considered to be a violation of this rule chapter:

(a) Accepting credit for continuing education hours which were not completed in their entirety.

(b) Providing or receiving answers, or offering or receiving assistance, on any continuing education course related examination.

(c) Falsifying any continuing education related document or material submitted to the Department.

~~The following practices of approved course providers, school officials, supervising instructors, and instructors are prohibited:~~

~~(1) Misrepresenting any material submitted to the Department.~~

~~(2) Failure to conduct classes for the total required hours.~~

~~(3) Allowing a proxy to complete the course.~~

~~(4) Falsification of any course completion record or other document related to the course.~~

~~(5) Allowing any individual to fulfill the duties of a school official who is not approved as such.~~

~~(6) Offering or teaching a course without the express written consent of the approved course provider.~~

Rulemaking Authority 624.308, ~~626.8216~~, 648.26 FS. Law Implemented 624.307(1), 626.2815, ~~626.8216~~, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.160, Amended _____.

69B-228.180 Forms and Submission of Forms through the Education Database.

(1) The Department has established an online application on its website for all activity relating to approval of providers, school officials, courses, course offerings, instructors, and the filing of rosters and other information relating to continuing education courses required by rule or statute to be filed with the Department. The system can be accessed at the Department’s _____ website at <http://www.myfloridacfo.com/division/agents>, by clicking on the MyProfile login.

(2) All forms necessary to comply with filing requirements outlined in this rule chapter shall be accessed through the Department’s Education Database as described in subsection (1) above. All forms necessary to comply with filing requirements outlined in this rule chapter are incorporated by reference in subsection (4) below.

(3) The Education Database shall provide written notification of all application approvals. If necessary, during the review process, the Department will send a request for additional information using the system.

(4)(4) The following forms are hereby ~~adopted and~~ incorporated by reference and are available on the Department’s website as provided above:

~~(2)(a) All forms in subsection (1) above may be obtained from and shall be submitted to the Bureau of Agent and Agency Licensing, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399 0319, or the current contract vendor for the specific process for which the form is needed, and may be reproduced at will. The forms are also available on the Department's website at <http://www.myfloridaefo.com/Division/Agents>.~~

~~(b) No facsimile transmissions of forms will be accepted by the Department for filing purposes.~~

~~(3) Forms shall be filed in accordance with the respective time provisions set forth in this rule chapter.~~

~~(a) Forms filed after a particular deadline shall be considered late, as determined by the Department date-received stamp.~~

~~(b) Forms shall be original, and facsimile transmissions will not be accepted to prevent late filing status.~~

~~(c) Changes to information on approved original forms shall be sent to the Department as soon as knowledge of the change occurs.~~

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a), 648.386(4) FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.2816, 626.8419(4), 626.869(5), 627.952(4)(b), 648.386 FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.180, Amended 8-4-13, _____.

69B-228.190 Transition Time in the Event of Rule Changes.

Rulemaking Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.611, 626.621, 626.681, 626.869(5), 648.386 FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.190, Repealed.

69B-228.210 Grounds for Disapproval, Suspension, or Revocation of Approval of a Penalties for Course Providers, School Officials, Supervising Instructors, or Instructors, and Monitors; Other Penalties.

(1) The Department shall disapprove an application or, fine, order restitution by, suspend, or revoke approval of any course, a provider, school official, supervising instructor, or instructor if: impose the following penalties upon a Department finding of a violation of this rule chapter, or Section 626.2815, 626.869(5), or 648.385 and 648.386, F.S., by course providers, school officials, supervising instructors, instructors, or monitors:

(a)(1) Consistent with the standards in rule chapters 69B-231 and 69B-241, F.A.C., it finds that the individual, entity, or officer, owner or director thereof, has had a license, permit, registration, or other authority to conduct business in the areas of education, insurance, or other financial services industry subject to a finding, injunction, suspension, prohibition, revocation, denial, judgment, final agency action, or

administrative order by any court of competent jurisdiction, administrative law proceeding, state agency, federal agency, or federally established regulatory body or association. Order the refund of all course tuition and fees to licensees in the event a refund is necessary to compensate a student or prospective student for a loss incurred.

(b) The individual, entity, or officer, owner or director thereof, has not otherwise met the qualifications specified in this rule chapter or has violated any provision of this rule chapter.

(c) The individual, entity, or officer, owner or director thereof, lacks the knowledge, competence, fitness or trustworthiness to fulfill the educational objectives of sections 626.2815, 626.2816, 626.869, 627.7015, 627.7074, 627.745, 648.385, and 648.386, F.S.

(d) The individual, entity, or officer, owner or director thereof, whether or not licensed as an agent or agency, title agent or agency, adjuster or adjusting firm, customer representative, service representative, or managing general agent, violates any provision of section 626.611 or 626.621, F.S.

(2) The Department shall fine, order restitution by or suspend, withdraw, or deny continuing education credit to any licensee who has not met the requirements for receiving continuing education credit or has violated any provision of this rule chapter. Require course providers, school officials, supervising instructors, instructors, and/or monitors to provide licensees with a suitable course to replace the course that was found in violation.

~~(3) Withdraw approval of courses sponsored by the provider.~~

~~(4) Suspend or revoke the authority to instruct or deny the approval of a course provider, school official, supervising instructor, instructor, speaker, lecturer, or monitor if the Department finds:~~

~~(a) A violation of any provision of Section 626.611 or 626.621, F.S., or any subsection of this rule chapter, or~~

~~(b) The person has had any disciplinary action taken against any license relating to the business of insurance issued by this or any other state, country, or territory at any time before or after being approved in this state.~~

~~(5) The Department shall refuse approval of future courses if past offerings are not in compliance with Florida Statutes or this rule chapter.~~

~~(6) The following fines shall apply to specific instances of misconduct and are not exclusive of other penalties set forth in this rule chapter:~~

~~(a) Three or more instances in a 90-day period of failure to notify the Department of a course offering until after the course offering has been completed or of failure to notify the~~

~~Department of a change in a course offering as soon as knowledge of the change occurs—\$100.00 per instance.~~

~~(b) Advertising as approved, approval pending, or similar language or soliciting attendance for any course before the Department has notified the school official or supervising instructor of the status of the course application—\$1,000 per incident.~~

~~(c) Advertising as approved, approval pending, or similar language, or soliciting attendance for any course that was either never approved by the Department or which was disapproved, closed, or withdrawn—\$1,000 per incident.~~

~~(d) Instruction of a class by an unapproved instructor—\$500 penalty to instructor and approved course provider.~~

~~(e) Failure to maintain course completion and attendance records for audit as specified in paragraph 69B-228.040(3)(a) and subparagraph 69B-228.080(11)(e)11., F.A.C., for 5 years following the completion date of each offering—\$500 per audit.~~

~~(f) Falsification of any document, form, outline or information in connection with any course—\$1,000 per violation.~~

~~(g) Failure to use only the approved outline on file with the Department—\$500 per violation.~~

~~(h) Failure to notify the Department within 30 days of a change of address—\$100 per violation.~~

~~(3) (†) The penalty for violating For violation of any section of this rule chapter, other than for non-compliance with continuing education requirements, for which no monetary penalty is provided shall be – up to \$500 250 per violation for a first occurrence; \$500 per violation for a second or subsequent occurrence.~~

~~Rulemaking Authority 624.308, 626.2815, 626.2816, 648.26 FS. Law Implemented 624.307(1), 624.4211, 626.2815, 626.2816, 626.611, 626.621, 626.681, 626.869(5), 648.385, 648.386 FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.210, Amended~~

Substantial rewording of Rule 69B-228.220 follows. See Florida Administrative Code for present text.

69B-228.220 Licensee Compliance; Requirements; Penalties for Non-Compliance.

(1) General Requirements:

(a) Each licensee subject to the continuing education requirements in section 626.2815, F.S., must complete all required hours by the end of the licensee's birth month after being licensed 24 months and every 2 years thereafter.

1. After the first compliance year is established, a licensee shall continue to meet the applicable continuing education requirements every 2 years thereafter regardless of when additional licenses or appointments are added.

2. As subsequent licensure is granted for other lines of insurance requiring continuing education, the licensee's compliance date will remain the same.

3. The total 2 year requirement remains in that same yearly sequence for all license types combined and not in alternating years.

4. An individual submitting an application for licensure in the same line of insurance that has previously been held, within 4 years from the date of cancellation or expiration of the previous license, is responsible for completing the deficient continuing education hours prior to issuance of appointments on the newly issued license.

a. Deficient continuing education hours shall be waived by the following:

(I) Since cancellation or expiration of the license, the individual successfully completed a prelicensing course for the type and class applied for.

(II) Since cancellation or expiration of the license, the individual passed the state examination for the type and class applied for.

(III) Since cancellation or expiration of the license, the individual completed an insurance designation course for the type and class applied for which is also named in the continuing education law, section 626.2815, F.S.

(IV) Since cancellation of the license, the individual completed the continuing education requirements of another state that is reciprocal with Florida.

(V) The individual was exempt from continuing education pursuant to Rule 69B-228.250, F.A.C.

(b) Continuing education credit may not be earned for attending or instructing at any subsequent offering of the same continuing education course within a 24 month period.

(c) Lack of an appointment does not eliminate the continuing education requirement.

(d) An individual applying for and receiving a license in the individual's birth month shall be required to provide documentation of continuing education credits earned as of the birth month 2 years later.

(2)(a) The Department shall refuse to renew or continue the appointments or issue new appointments of any licensee who does not satisfy the minimum continuing education requirements by the compliance date.

(b) All outstanding continuing education requirements shall be satisfied before appointments will be processed.

(3) These remedies are not exclusive of the provisions of sections 626.611, 626.621, 626.681, and 626.691, F.S.

(4) Licensees shall maintain records of all course completions for 2 years from the completion dates.

(5) Licensees are not required to file certificates of completion with the Department unless requested to do so by

the Department for audit purposes or to correct discrepancies in Department records.

(6) Reduction of continuing education requirement.

(a) A request for reduction based on a chartered property and casualty underwriter (CPCU) or chartered life underwriter (CLU) designation or a degree in risk management or insurance, and/or applicable experience on Form DFS-H2-1109, Reduction of Continuing Education Requirements, which is incorporated by reference in Rule 69B-228.180, F.A.C., shall be submitted to the Department with all written documentation prior to the licensee's compliance date.

(b) Within 30 days of a status change which disqualifies the licensee from the reduction, the licensee shall notify the Department.

(c) On the second compliance date after the status has been changed, the requirements will apply without the reduction.

Rulemaking Authority 624.308, 626.2816, 648.26(1)(a) FS. Law Implemented 624.307(1), 626.221(2)(d), 626.2815, 626.2816, 626.611, 626.621, 626.681, 626.691, 626.869(5), 648.385 FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.220, Amended 1-17-05, 8-3-09, 8-4-13, _____.

69B-228.230 Extensions.

(1)(a) A request for an extension of time to complete continuing education requirements must be submitted to the Department on Form DFS-H2-460, Request for Extension of Time, which is incorporated by reference in Rule 69B-228.180, F.A.C., a minimum of 15 days prior to the compliance date.

(2) The Department shall will grant an extension of time of 90 days to complete the minimum continuing education requirement to an individual upon a showing of good cause.

(3)(b) "Good cause" means an incident or occurrence which is beyond the control of the applicant and which prevents compliance. Examples of good cause include: Disabling accident, illness, ~~call to military duty~~, or declared national emergency.

(c) It is the responsibility of the licensee to request an extension on Form DFS H2 460, Request for Extension of Time, rev. 2/99, which is adopted in Rule 69B 228.180, F.A.C.

(d) The person's license and appointments shall remain in effect during the extension period.

(2) Requests for extensions shall be submitted to the Department or its designee in writing at least 30 days prior to the applicable compliance date and shall include appropriate documentation of the good cause for extension.

(4)(3) A granted request for extension of time shall only apply to a single compliance cycle. When an extension is granted, a new compliance date is temporarily created for that compliance period only.

(5)(4)(a) Receiving an extension to complete continuing education does not eliminate the requirement to maintain an active appointment within a 48 month period to retain licensure. If the minimum continuing education requirement is not satisfied by the extended compliance date, the Department will notify the person and the person will be assessed \$50.00 for additional administrative efforts necessary to process this notification and other materials in connection with this non-compliance, pursuant to Section 624.501(20)(c), F.S., for non-compliance with Sections 626.2815 and 626.869(5), F.S., and this rule chapter.

(b) If the minimum continuing education requirement is not satisfied by the last day of the extended compliance period, the Department shall refuse to renew the licensee's appointments and refuse to issue new appointments.

(c) Failure to be appointed for a particular type and class of license for 24 months will result in termination of a person's license for that type and class.

(6)(5) Failure to complete continuing education requirements before the expiration of a granted extension shall result in the termination of appointments as prescribed in subsection 626.2815(10), F.S. Permanent conditions are not eligible for indefinite extensions of time to complete the requirements.

(7)(6) A maximum of four (4) 90-day extensions may be granted for each compliance period if acceptable documentation is received by the Department.

(8) Licensees who are unable to comply with the continuing education requirements due to active duty in the military shall submit a written request for a waiver to the Department pursuant to subsection 626.2815(2), F.S.

(a) The waiver request must include a copy of the military orders.

(b) The timeframe for active duty, as listed within the military orders, must fall within the compliance cycle.

Rulemaking Authority 624.308, 626.2816 FS. Law Implemented 624.307(1), ~~624.504~~, 626.2815, 626.2816, 626.869(5) FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.230, Amended _____.

69B-228.240 Applicability of Continuing Education Requirement for New Licensees.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.240, Repealed _____.

69B-228.250 Exempted Licensees.

(1) Individuals who hold only the following limited licenses are exempt from the requirements of Section 626.2815, F.S.:

(a) Motor Vehicle Physical Damage and Mechanical Breakdown Agent (2-21);

~~(b) Crop Hail and Multi-peril Crop Agent (4-30).~~

~~(2) If the individual holds any other life and health or property and casualty type and class of license in addition to the above listed licenses, they shall comply with the full requirements of Section 626.2815, F.S., and this rule chapter.~~

~~(1)(3) Members of a governmental entity.~~

~~(a)1. Licensees who are officials or employees of a Florida entity as set forth in paragraph Section 626.2815(3)(h)(e), F.S., are exempt from the continuing education requirements.~~

~~2. Anyone wishing To qualify for this status, the licensee must complete and submit other than Department of Financial Services employees shall send a letter of request and documentation, or Form DFS-H2-1106, Statement of Government Status, rev. 6/93, which is incorporated by reference adopted in Rule 69B-228.180, F.A.C., to the Education Section of the Bureau of Agent and Agency Licensing, Department of Financial Services, prior to the licensee's their compliance date.~~

~~3. Employment must:~~

~~a. Consist of 20 hours per week or more; and~~

~~b. Have a position description with duties and responsibilities that are determined by the Department to require monitoring and review of insurance laws, regulation, and practices.~~

~~4. Within 30 days of a status change which disqualifies the licensee them from the exemption, the licensee shall notify the Department in writing.~~

~~5. On the next compliance date after the status has been changed for at least 24 months, the requirements will apply last day of their next birth month after the status has been changed for at least 24 months, the requirements of this rule chapter will apply for that type and class of licensure without the exemption.~~

~~(b)1. Department of Financial Services employees who also have an agent or adjuster license will automatically be recorded as an employee of a governmental entity course provider on the day that they are employed by the Department and their continuing education requirements will be suspended.~~

~~2. On the next compliance date at least 24 months after the date on which the employee leaves the Department, the requirements will apply will also be recorded and will be used to establish a new compliance date on the last day of their next birth month after they have left the Department for 24 months or more.~~

~~(2) Pursuant to subsection 626.2815(2), F.S., licensees who are unable to comply with the continuing education requirements due to active duty in the military must submit a written request for a waiver to the Department and include a copy of the active duty documentation.~~

Rulemaking Authority 624.308, 626.2816 FS. Law Implemented 624.307(1), 626.2815(3)(e), 626.2816, 626.869(5) FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.250, Amended _____.

69B-228.260 Timeline for Submissions.

(1) An application must be complete within 60 days of initial submission to the Department or it shall be closed.

(2) If the Department determines that an application is incomplete, it shall notify the applicant of the deficiencies. If the identified deficiencies are not resolved within 20 days from the date of the Department's deficiency notice, the application will be closed.

Rulemaking Authority 624.308(1), 626.2816 FS. Law Implemented 624.307(1), 626.2815, 626.2816 FS. History – New _____.

69B-228.270 Course Audits.

The Department shall audit courses and provider records with or without notice to the provider. Providers shall give the Department access to all approved courses within 3 days of the course offering. Audits shall result in notice to the provider of deficiencies found and of corrective action required where warranted. The Department shall disapprove the course if the provider fails to correct the deficiencies within 30 days from the date of the notice of deficiency.

Rulemaking Authority 624.308(1), 626.2816 FS. Law Implemented 626.2816 FS. History – New _____.

69B-228.280 Duration of Suspension or Revocation; Effect of Suspension or Revocation upon Associated Authorizations.

(1) The Department shall, in its order suspending a provider, school official, supervising instructor or instructor authorization, or in its order suspending the eligibility of a person to hold or apply for such authorization, specify the period during which the suspension is to be in effect. The suspension period shall not exceed 2 years. A person whose authorization or eligibility has been previously suspended who subsequently seeks authorization pursuant to this rule chapter must apply and qualify in the same manner as a first-time applicant and is subject to the requirements of this rule chapter and section 626.207, F.S. Additionally, the Department shall not approve an application if it finds that the circumstance or circumstances for which the authorization or eligibility was suspended still exist or are likely to recur. The waiting periods specified in section 626.207, F.S., also apply to the applicants.

(2) No person or appointee under any authorization revoked by the Department, or any person whose eligibility to hold same has been revoked by the Department, shall apply for another authorization under this rule chapter within 2 years from the effective date of such revocation or, if judicial review of such revocation is sought, within 2 years from the date of

final court order or decree affirming the revocation. A person whose authorization or eligibility has been previously revoked who subsequently seeks authorization pursuant to this rule chapter must apply and qualify for authorization in the same manner as a first-time applicant and is subject to the requirements of this rule chapter and section 626.207, F.S. In addition, the Department shall not grant a new authorization or reinstate eligibility to hold such authorization if it finds that the circumstance or circumstances for which the eligibility was revoked or for which the previous authorization was revoked still exist or are likely to recur. The waiting periods specified in section 626.207, F.S., also apply to the applicants.

(3) The Department shall not grant or issue any authorization under this rule chapter to any person whose authorization or eligibility has been revoked twice.

(4) During the period of suspension or revocation of an authorization, and until a new authorization is issued, the former provider, school official, supervising instructor or instructor may not engage in or attempt or profess to engage in any transaction or business for which an authorization is required under this rule chapter.

(5) Upon suspension or revocation of any one authorization of a person, or upon suspension or revocation of eligibility to hold an authorization, the Department shall also suspend or revoke any other authorization or status of eligibility held by the person under this rule chapter.

Rulemaking Authority 624.308(1), 626.2816 FS. Law Implemented 626.207, 626.2816 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Heather Cleary, Bureau of Licensing
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NOS.:	RULE TITLES:
64B10-16.001	General Information
64B10-16.002	Preceptor
64B10-16.0021	Change of Status of Preceptor.
64B10-16.0025	Preceptor Training Seminar
64B10-16.003	Facility at Which Training Takes Place
64B10-16.005	Domains of Practice, Objectives, Reports
64B10-16.007	Out-of-State Administrator-In-Training Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 60, March 28, 2016 issue of the Florida Administrative Register.

THE TEXT OF THE PROPOSED RULE WILL NOW READ:

64B10-16.001 General Information; Monitors.

(1) No change.

(2) An applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S. and Rule 64B10-11.002, F.A.C., at the time of application, including completion of an Application for Administrator-In-Training Application, form DH-MQA-NHA003, (~~Revised 07/16 10/2013~~), hereby adopted and incorporated by reference, and pay the application fee specified in Rule 64B10-12.013, F.A.C. The form can be obtained from the web at <http://floridasnursinghomeadmin.gov/applications/application-admin-in-training.pdf>

~~<http://floridasnursinghomeadmin.gov/resources/>~~ or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~03687~~. The applicant is required to indicate whether the applicant is applying for the 1000-hour or the 2000-hour program as referenced in Rule 64B10-11.002, F.A.C.

(3) AIT training must be under the full-time supervision of the Preceptor. A Preceptor shall supervise no more than two (2) only one AITs or interns at any given time; ~~however, if the facility has a minimum of 120 beds and more than one administrator licensed under Chapter 468, Part II, F.S., the Preceptor may then supervise a maximum of two AITs or interns, or a combination thereof.~~

(4) through (9) No change.

(10) Both the AIT and the Preceptor must report any discontinuance of training to the Board. AITs must report discontinuance within 10 business days; Preceptors must

report discontinuances no later than the next reporting date. Failure of the AIT to report discontinuance of training ~~to do so may subject the Preceptor to disciplinary action, and~~ will result in the AIT ~~losing~~ losing credit for the current reporting period and previous quarter and a three (3) month suspension from further participation in the program.

(11) through (13) No change.

Rulemaking Authority 468.1685(1), 468.1695(2) FS. Law Implemented 456.013, 468.1695(2), (4) FS. History—New 9-24-81, Formerly 21Z-16.01, Amended 12-18-88, 1-22-90, 11-11-92, 12-18-88, 1-22-90, 11-11-92, Formerly 21Z-16.001, Amended 8-29-93, Formerly 61G12-16.001, Amended 6-2-96, Formerly 59T-16.001, Amended 10-12-97, 6-5-07, 11-9-08, 1-7-10, 2-11-14, _____.

64B10-16.002 Preceptor.

(1) Each person desiring to be a Preceptor must submit a completed application form Preceptor Certification, DOH/NHA014, 07/16 (~~Revised 06/2016~~), incorporated herein by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-04143>

or <http://floridasnursinghomeadmin.gov/applications/application-preceptor.pdf> <http://floridasnursinghomeadmin.gov/resources/>.

(2) through (4) No change.

(5) Preceptor applicants must attend a six-hour preceptor training seminar within the three years immediately preceding the application and a two-hour refresher course every biennium thereafter. Both courses must be approved by the Board pursuant to Rule 64B10-16.0025, F.A.C. Failure to complete the refresher course shall result in the loss of preceptor certification ~~but does not affect licensure renewal~~.

(6) A Preceptor must ~~either be the administrator of record for the facility or facilities at which the training is to take place, approved for training as specified in Rule 64B10-16.003, or be otherwise approved by the Board. In determining whether to approve as Preceptors licensed administrators who are not administrators of record at a training facility, the Board shall consider factors such as the applicant's degree of oversight over training facilities, the number of facilities overseen by the applicant, the number of licensed administrators in the facilities overseen, the distance between facilities, and any other factors which demonstrate the applicant will adequately supervise and train the AIT as required by these rules.~~

(7) No change.

Rulemaking Authority 456.013(1)(a), 468.1685(1), 468.1695(4) FS. Law Implemented 468.1695 FS. History—New 9-24-81, Formerly 21Z-16.02, Amended 12-18-88, 11-11-92, Formerly 21Z-16.002, Amended 2-28-94, Formerly 61G12-16.002, Amended 2-22-96, 9-4-96, 10-20-96, Formerly 59T-16.002, Amended 10-12-97, 6-5-07, 10-2-08, 3-25-09, 10-24-10, 5-29-14, _____.

64B10-16.005 Domains of Practice, Objectives, Reports.

(1) A training plan for the Administrator-in-Training Program shall be prepared by the Preceptor and the AIT, prior to the start of the program. This training plan shall include:

(~~a~~) ~~a~~ A pre-training assessment of the AIT's background, educational level, pertinent experience, maturity, motivation and initiative. The pre-training assessment shall identify the AIT's strengths and weaknesses with regard to the specific domains of practice and skills necessary to serve as a licensed administrator.

(~~b~~) Based on the assessment, the AIT and Preceptor will jointly develop a detailed goal oriented training plan with adequate supporting documentation which relates educational objectives, Domains of Practice, ~~subject areas of the internship~~, internship site(s), agencies involved, total hours for the internship, and a breakdown of the number of hours needed to master each Domain of Practice area and its objectives.

(~~2~~)(~~e~~) The preceptor and AIT must file regular reports with the Board. For 1,000 hour programs, reports shall be filed bi-monthly; for 2,000 hour programs, reports shall be filed quarterly. Reports ~~for 1,000 hour programs shall be made on the State of Florida Administrator in Training Domains of Practice Quarterly Checklist for 1,000 Hour Programs, Form DH 5021-DH, 07/16, which is hereby incorporated by reference and which can be obtained from the Board of Nursing Home Administrators website at~~ <http://floridasnursinghomeadmin.gov/applications/chk1st-1k-nha.pdf> <http://floridasnursinghomeadmin.gov/resources/> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00783>. Reports for 2,000 hour programs shall be made on the State of Florida AIT Domains of Practice Quarterly Checklist For 2,000 Hour Programs, Form DH-MQA 1209, 07/16, (~~Rev 06/16~~) hereby adopted and incorporated by reference and which can be obtained from the Board of Nursing Home Administrators' website at: <http://floridasnursinghomeadmin.gov/applications/chk1st-2k-nha.pdf> <http://floridasnursinghomeadmin.gov/resources/> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00783>. Each report shall be co-signed by the Preceptor and AIT and shall be filed within two weeks after the completion of each reporting period of the program. Failure to file the report on the correct form or within the stated time period may result in non-acceptance of the report. The reports shall contain a synopsis of the areas covered in the program and a narrative describing relevant learning experiences. The reports shall show how the AIT used the following methods to further his or her training:

1. through 7. No change.

(~~3~~)(~~2~~) through (~~5~~)(~~4~~) No change.

Rulemaking Authority 468.1685(1), (3), (4) FS. Law Implemented 468.1685(3), (4) FS. History—New 12-18-88, Formerly 21Z-16.005, 61G12-16.005, 59T-16.005, Amended 1-8-06, 1-9-12, _____.

All other portions of the Notice of Proposed Rule remain unchanged.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-41
RULE TITLE: Game Number 5011, FAST \$100

SUMMARY: This emergency rule describes Game Number 5011, “FAST \$100,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-41 Game Number 5011, FAST \$100.

(1) Name of Game. Game Number 5011, “FAST \$100.”

(2) Game Number 5011, FAST \$100 is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. FAST \$100 lottery tickets sell for \$2.00 per ticket.

(4) FAST \$100 lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning FAST \$100 lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>
6 <small>SIX</small>	7 <small>SEVEN</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>
11 <small>ELEVEN</small>	12 <small>TWELVE</small>	13 <small>THIRTEEN</small>	14 <small>FOURTEEN</small>	15 <small>FIFTEEN</small>
16 <small>SIXTEEN</small>	17 <small>SEVENTEEN</small>	18 <small>EIGHTEEN</small>	19 <small>NINETEEN</small>	20 <small>TWENTY</small>





(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>
6 <small>SIX</small>	7 <small>SEVEN</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>
11 <small>ELEVEN</small>	12 <small>TWELVE</small>	13 <small>THIRTEEN</small>	14 <small>FOURTEEN</small>	15 <small>FIFTEEN</small>
16 <small>SIXTEEN</small>	17 <small>SEVENTEEN</small>	18 <small>EIGHTEEN</small>	19 <small>NINETEEN</small>	20 <small>TWENTY</small>

(7) The prize symbols and prize symbol captions are as follows:

\$1.00 <small>ONE</small>	\$2.00 <small>TWO</small>	\$4.00 <small>FOUR</small>	\$5.00 <small>FIVE</small>	\$10.00 <small>TEN</small>	\$20.00 <small>TWENTY</small>
\$25.00 <small>TWY FIVE</small>	\$50.00 <small>FIFTY</small>	\$100 <small>ONE HUN</small>	\$200 <small>TWO HUN</small>	\$1,000 <small>ONE THOU</small>	\$20,000 <small>TWY THOU</small>


(8) The legends are as follows:

**WINNING
NUMBERS YOUR NUMBERS**


(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches either play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol.




A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket having a



“” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$100. A ticket having a “



” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$1,000 and \$20,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 5011 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 74 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.71	1,243,200
\$1 x 4	\$4	50.00	266,400
(\$1 x 2) + \$2	\$4	50.00	266,400
\$2 + \$2	\$4	50.00	266,400
\$4	\$4	50.00	266,400
\$1 x 5	\$5	250.00	53,280
\$1 + \$4	\$5	250.00	53,280
(\$2 x 2) + \$1	\$5	250.00	53,280
(\$1 x 3) + \$2	\$5	250.00	53,280

\$5	\$5	250.00	53,280
\$5 x 5	\$10	150.00	88,800
\$1 x 10 (MONEYBAG)	\$10	150.00	88,800
\$10	\$10	150.00	88,800
\$2 x 10 (MONEYBAG)	\$20	750.00	17,760
(\$2 x 5) + \$10	\$20	750.00	17,760
(\$5 x 2) + \$10	\$20	750.00	17,760
\$5 x 4	\$20	750.00	17,760
\$20	\$20	750.00	17,760
\$1 + (\$2 x 7) + (\$5 x 2) (MONEYBAG)	\$25	900.00	14,800
\$5 x 5	\$25	900.00	14,800
(\$2 x 5) + \$5 + \$10	\$25	900.00	14,800
(\$5 x 3) + \$10	\$25	900.00	14,800
\$25	\$25	900.00	14,800
\$10 x 10 (MONEYBAG)	\$100	2,400.00	5,550
\$100 (STARBURST)	\$100	720.00	18,500
\$100	\$100	4,000.00	3,330
\$20 x 10 (MONEYBAG)	\$200	18,000.00	740
(\$20 x 5) + (\$50 x 2)	\$200	18,000.00	740
\$100 x 2	\$200	18,000.00	740
\$100 (STARBURST) x 2	\$200	18,000.00	740
\$200	\$200	18,000.00	740
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	74
\$100 x 10	\$1,000	180,000.00	74
\$100 (STARBURST) x 10	\$1,000	90,000.00	148
\$200 x 5	\$1,000	180,000.00	74
\$1,000	\$1,000	180,000.00	74
\$20,000	\$20,000	1,110,000.00	12

(11) The estimated overall odds of winning some prize in Game Number 5011 are 1 in 4.39. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 5011, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for FAST \$100 lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-4-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-4-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-42
RULE TITLE: Game Number 1315, LUCKY 7

SUMMARY: This emergency rule describes Game Number 1315, "LUCKY 7," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-42 Game Number 1315, LUCKY 7.

(1) Name of Game. Game Number 1315, "LUCKY 7."

(2) Game Number 1315, LUCKY 7 is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. LUCKY 7 lottery tickets sell for \$1.00 per ticket.

(4) LUCKY 7 lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY 7 lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The play/prize symbols and play/prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY
\$30.00 THIRTY	\$40.00 FORTY	\$50.00 FIFTY	\$100 ONE HUN	\$200 TWO HUN	\$3,000 THR THOU	7 DOUBLE

(6) Determination of Prizewinners.

(a) A ticket having three like play symbols and corresponding play symbol captions (prize amounts) in the play area shall entitle the claimant to a prize of that amount. A ticket having two like play symbols and corresponding play

symbol captions (prize amounts) and a " **7** DOUBLE " symbol in the play area shall entitle the claimant to a prize of double that amount.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, and \$3,000.

(7) The estimated odds of winning, value, and number of prizes in Game Number 1315 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN	
		ESTIMATED ODDS OF 1 IN	70 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	1,568,000
\$1 (LUCKY 7)	\$2	30.00	560,000
\$2	\$2	30.00	560,000
\$2 (LUCKY 7)	\$4	75.00	224,000
\$4	\$4	100.00	168,000
\$5	\$5	300.00	56,000
\$5 (LUCKY 7)	\$10	300.00	56,000
\$10	\$10	300.00	56,000
\$15	\$15	300.00	56,000
\$20	\$20	300.00	56,000
\$15 (LUCKY 7)	\$30	3,333.33	5,040
\$30	\$30	3,428.57	4,900
\$20 (LUCKY 7)	\$40	7,500.00	2,240
\$40	\$40	8,000.00	2,100
\$50	\$50	4,800.00	3,500
\$50 (LUCKY 7)	\$100	6,000.00	2,800
\$100	\$100	6,000.00	2,800
\$100 (LUCKY 7)	\$200	48,000.00	350
\$200	\$200	48,000.00	350
\$3,000	\$3,000	120,000.00	140

(8) The estimated overall odds of winning some prize in Game Number 1315 are 1 in 4.96. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Game Number 1315, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for LUCKY 7 lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-4-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-4-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-43
 RULE TITLE: Game Number 1316, DOUBLE DEUCES
 SUMMARY: SUMMARY OF THE RULE: This emergency rule describes Game Number 1316, "DOUBLE DEUCES," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-43 Game Number 1316, DOUBLE DEUCES.

(1) Name of Game. Game Number 1316, "DOUBLE DEUCES."

(2) Game Number 1316, DOUBLE DEUCES is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. DOUBLE DEUCES lottery tickets sell for \$2.00 per ticket.

(4) DOUBLE DEUCES lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning DOUBLE DEUCES lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVEN
12 TWELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENTY	DOUBLE WIN ALL

(6) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVEN
12 TWELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENTY	

(7) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$25.00 THY FIVE	\$30.00 THIRTY
\$40.00 FORTY	\$100 ONE HUN	\$200 TWO HUN	\$400 FOUR HUN	\$1,000 ONE THOU	\$10,000 TEN THOU	\$30,000 THIRTY THOU	

(8) The legends are as follows:

YOUR NUMBERS WINNING NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding prize shown for that symbol. A ticket having a



"WIN ALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$30.00, \$40.00, \$100, \$200, \$400, \$1,000, \$10,000 and \$30,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 1316 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF
			WINNERS IN 62 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	1,116,000
\$1 x 4	\$4	50.00	223,200
(\$1 x 2) + \$2	\$4	50.00	223,200
\$2 (DOUBLE DEUCES)	\$4	50.00	223,200
\$4	\$4	50.00	223,200
\$1 x 5	\$5	375.00	29,760
(\$1 x 3) + \$2	\$5	375.00	29,760
\$2 (DOUBLE DEUCES) + \$1	\$5	375.00	29,760
\$1 + \$4	\$5	375.00	29,760
\$5	\$5	375.00	29,760
\$1 x 10 (MONEYBAG)	\$10	250.00	44,640
\$1 x 10	\$10	250.00	44,640
\$2 x 5	\$10	250.00	44,640
\$5 (DOUBLE DEUCES)	\$10	250.00	44,640
\$10	\$10	250.00	44,640
(\$1 x 5) + (\$2 x 5) (MONEYBAG)	\$15	750.00	14,880
(\$1 x 5) + (\$2 x 5)	\$15	750.00	14,880
\$2 + (\$4 x 2) + \$5	\$15	750.00	14,880
\$5 + \$5 (DOUBLE DEUCES)	\$15	750.00	14,880
\$15	\$15	750.00	14,880
\$1 + (\$2 x 7) + (\$5 x 2) (MONEYBAG)	\$25	900.00	12,400
\$1 + (\$2 x 7) + (\$5 x 2)	\$25	900.00	12,400
(\$2 x 5) + (\$5 x 3)	\$25	900.00	12,400
\$5 + \$10 (DOUBLE DEUCES)	\$25	900.00	12,400
\$25	\$25	1,000.00	11,160

(\$2 x 5) + (\$4 x 5) (MONEYBAG)	\$30	2,250.00	4,960
(\$2 x 5) + (\$4 x 5)	\$30	2,400.00	4,650
\$10 x 3	\$30	2,400.00	4,650
\$15 (DOUBLE DEUCES)	\$30	2,000.00	5,580
\$30	\$30	2,400.00	4,650
(\$2 x 3) + \$4 + (\$5 x 6) (MONEYBAG)	\$40	6,000.00	1,860
\$4 x 10	\$40	6,000.00	1,860
\$10 x 4	\$40	6,000.00	1,860
\$10 + \$15 (DOUBLE DEUCES)	\$40	6,000.00	1,860
\$40	\$40	7,200.00	1,550
(\$4 x 5) + (\$10 x 4) + \$40 (MONEYBAG)	\$100	4,500.00	2,480
\$10 x 10	\$100	4,500.00	2,480
(\$10 x 2) + \$40 (DOUBLE DEUCES)	\$100	4,500.00	2,480
(\$10 x 4) + (\$30 x 2)	\$100	4,500.00	2,480
\$100	\$100	4,500.00	2,480
(\$5 x 4) + \$10 + (\$25 x 2) + (\$40 x 3) (MONEYBAG)	\$200	18,000.00	620
(\$5 x 2) + (\$10 x 3) + (\$25 x 2) + \$30 + (\$40 x 2)	\$200	18,000.00	620
\$10 (DOUBLE DEUCES) + (\$30 x 6)	\$200	18,000.00	620
\$100 (DOUBLE DEUCES)	\$200	18,000.00	620
\$200	\$200	18,000.00	620
(\$30 x 6) + (\$40 x 3) + \$100 (MONEYBAG)	\$400	45,000.00	248
\$40 x 10	\$400	45,000.00	248
\$100 x 4	\$400	45,000.00	248
\$200 (DOUBLE DEUCES)	\$400	45,000.00	248
\$400	\$400	45,000.00	248
(\$40 x 5) + (\$100 x 2) + (\$200 x 3) (MONEYBAG)	\$1,000	180,000.00	62
\$100 x 10	\$1,000	180,000.00	62
\$200 x 5	\$1,000	180,000.00	62
\$200 + \$400 (DOUBLE DEUCES)	\$1,000	180,000.00	62
\$1,000	\$1,000	180,000.00	62
\$10,000	\$10,000	1,116,000.00	10
\$30,000	\$30,000	1,395,000.00	8

(11) The estimated overall odds of winning some prize in Game Number 1316 are 1 in 4.35. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1316, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for DOUBLE DEUCES lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the

General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-4 -16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-4-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-44
RULE TITLE: Game Number 1317, BONUS CROSSWORD

SUMMARY: This emergency rule describes Game Number 1317, "BONUS CROSSWORD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-44 Game Number 1317, BONUS CROSSWORD.

(1) Name of Game. Game Number 1317 "BONUS CROSSWORD."

(2) Game Number 1317 BONUS CROSSWORD, is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. BONUS CROSSWORD lottery tickets sell for \$3.00 per ticket.

(4) "BONUS CROSSWORD" lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning BONUS CROSSWORD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The "YOUR LETTERS" play symbols are as follows:

A B C D E F G H I J K
L M N O P Q R S T U V
W X Y Z

(6) The CROSSWORD PUZZLE play symbols are as follows:

A B C D E F G H I J
K L M N O P Q R S T
U V W X Y Z

(7) The CROSSWORD PUZZLE legends are as follows:

YOUR LETTERS PRIZE
(8) The "BONUS WORD" play symbols are as follows:

A B C D E F G H I J
K L M N O P Q R S T
U V W X Y Z

(9) The "BONUS WORD" prize symbols and prize symbol captions are as follows:

\$3.00 \$10.00 \$50.00 \$100 \$200 \$1,000
THREE TEN FIFTY ONE HUN TWO HUN ONE THOU

(10) The "BONUS WORD" legend is as follows:

BONUS WORD

(11) The prizes in the CROSSWORD PUZZLE are: \$3, \$6, \$10, \$20, \$30, \$50, \$100, \$200, \$1,000, and \$50,000.

(12) The prizes in the BONUS WORD are: \$3.00, \$10.00, \$50.00, \$100, \$200, and \$1,000.

(13) Determination of Prizewinners.

(a) There is a CROSSWORD PUZZLE game and a BONUS WORD play area on each ticket. The BONUS WORD is played independently and cannot be used in the CROSSWORD PUZZLE game.

1. The holder of a ticket whose letters (play symbols) in the "YOUR LETTERS" play area match the letters (play symbols) in the CROSSWORD PUZZLE game to form at least two (2) different complete words shall entitle the claimant to the corresponding prize in the PRIZE LEGEND for the total number of words matched.

2. The holder of a ticket whose letters (play symbols) in the "YOUR LETTERS" play area completely match the letters (play symbols) in the "BONUS WORD" play area shall entitle the claimant to the corresponding prize shown in the "PRIZE" box.

(b) A "word" must contain at least three (3) letters. A "word" cannot be formed by linking letters diagonally or by reading the letters from the bottom to top or right to left. Letters combined to form a "word" must appear in an unbroken horizontal or vertical string of letters in the CROSSWORD PUZZLE that is not interrupted by a blank space and contains every single letter square between two (2)

blank spaces or the edge and a blank space. Every letter in the unbroken string must be revealed in "YOUR LETTERS" and be included to form a "word." The possible complete words are shown in each CROSSWORD PUZZLE. Each possible complete word consists of three (3) or more letters and occupies an entire word space. All of the letters in a possible complete word must be matched in order to complete the word.

(14) The estimated odds of winning, value and number of prizes in Instant Game Number 1317 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN	
		ESTIMATED ODDS OF	168 POOLS OF 180,000 TICKETS
2 WORDS	\$3	10.00	3,024,000
2 WORDS + \$3 BONUS WORD	\$6	20.00	1,512,000
3 WORDS	\$6	25.00	1,209,600
4 WORDS	\$10	50.00	604,800
4 WORDS + \$3 BONUS WORD	\$13	100.00	302,400
4 WORDS + \$10 BONUS WORD	\$20	166.67	181,440
5 WORDS	\$20	250.00	120,960
6 WORDS	\$30	300.00	100,800
6 WORDS + \$10 BONUS WORD	\$40	600.00	50,400
7 WORDS	\$50	360.00	84,000
7 WORDS + \$10 BONUS WORD	\$60	600.00	50,400
7 WORDS + \$50 BONUS WORD	\$100	1,200.00	25,200
8 WORDS	\$100	1,384.62	21,840
8 WORDS + \$100 BONUS WORD	\$200	18,000.00	1,680
9 WORDS	\$200	18,000.00	1,680
9 WORDS + \$200 BONUS WORD	\$400	9,000.00	3,360
10 WORDS	\$1,000	90,000.00	336
10 WORDS + \$1,000 BONUS WORD	\$2,000	180,000.00	168
11 WORDS	\$50,000	756,000.00	40

(15) The estimated overall odds of winning some prize in Game Number 1317 are 1 in 4.15. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(16) For reorders of Game Number 1317, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(17) Payment of prizes for BONUS CROSSWORD lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History-New 8-4-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 8-4-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER16-45: Game Number 1318, MAXIMUM MONEY

SUMMARY: This emergency rule describes Game Number 1318, "MAXIMUM MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-45 Game Number 1318, MAXIMUM MONEY.

(1) Name of Game. Game Number 1318, "MAXIMUM MONEY."

(2) Game Number 1318, MAXIMUM MONEY is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MAXIMUM MONEY lottery tickets sell for \$5.00 per ticket.

(4) MAXIMUM MONEY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MAXIMUM MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 TWELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	 HIN	 DOUBLE	 HINALL			

(6) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR						

(7) The prize symbols and prize symbol captions are as follows:


\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY	\$30.00 THIRTY	\$40.00 FOURTY
\$100 ONE HUNDRED	\$200 TWO HUNDRED	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$2,500 TWO THOUSAND FIVE HUNDRED	\$10,000 TEN THOUSAND	\$250,000 TWO HUNDRED FIFTY THOUSAND


(8) The legends are as follows:


YOUR NUMBERS WINNING NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a  symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the corresponding prize

shown for that symbol. A ticket having a  symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding prize shown for that symbol. A

ticket having a  symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00 \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$2,500, \$10,000 and \$250,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 1318 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 106 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	1,272,000
\$5 (STACK OF COINS)	\$10	15.00	848,000
\$5 x 2	\$10	60.00	212,000
\$10	\$10	60.00	212,000
(\$2 x 5) + \$5	\$15	300.00	42,400
\$5 + \$5 (STACK OF COINS)	\$15	300.00	42,400
\$5 x 3	\$15	300.00	42,400
\$5 + \$10	\$15	300.00	42,400
\$15	\$15	300.00	42,400
\$2 x 10	\$20	300.00	42,400

\$5 (STACK OF COINS) + (\$5 x 2)	\$20	300.00	42,400
\$5 x 4	\$20	300.00	42,400
\$10 (STACK OF COINS)	\$20	300.00	42,400
\$20	\$20	300.00	42,400
(\$2 x 10) + \$5 (STACK OF COINS)	\$30	1,000.00	12,720
\$5 x 6	\$30	1,000.00	12,720
\$5 (STACK OF COINS) + \$10 (STACK OF COINS)	\$30	1,000.00	12,720
\$15 x 2	\$30	1,200.00	10,600
\$30	\$30	1,200.00	10,600
(\$2 x 10) + (\$10 x 2) (MONEYBAG)	\$40	2,000.00	6,360
(\$2 x 10) + (\$10 x 2)	\$40	2,400.00	5,300
\$10 (STACK OF COINS) + \$20	\$40	1,935.48	6,572
\$10 x 4	\$40	2,400.00	5,300
\$40	\$40	2,400.00	5,300
(\$2 x 5) + (\$5 x 6) + \$10 (MONEYBAG)	\$50	2,000.00	6,360
(\$2 x 5) + (\$5 x 6) + \$10	\$50	2,000.00	6,360
\$5 (STACK OF COINS) + \$20 (STACK OF COINS)	\$50	2,000.00	6,360
\$10 (STACK OF COINS) + \$30	\$50	2,000.00	6,360
\$50	\$50	2,000.00	6,360
(\$5 x 8) + (\$10 x 2) + (\$20 x 2) (MONEYBAG)	\$100	1,500.00	8,480
(\$5 x 8) + (\$10 x 2) + (\$20 x 2)	\$100	1,500.00	8,480
(\$10 x 3) + \$30 + \$40	\$100	2,000.00	6,360
\$20 (STACK OF COINS) + \$30 (STACK OF COINS)	\$100	1,500.00	8,480
\$50 (STACK OF COINS)	\$100	1,500.00	8,480
\$100	\$100	2,000.00	6,360
(\$10 x 10) + (\$50 x 2) (MONEYBAG)	\$200	12,000.00	1,060
(\$10 x 10) + (\$50 x 2)	\$200	12,000.00	1,060
(\$20 x 6) + (\$15 x 2) + \$50	\$200	12,000.00	1,060
\$100 (STACK OF COINS)	\$200	12,000.00	1,060
\$200	\$200	12,000.00	1,060
(\$40 x 10) + (\$50 x 2) (MONEYBAG)	\$500	15,000.00	848
(\$40 x 10) + (\$50 x 2)	\$500	15,000.00	848
\$50 (STACK OF COINS) + \$200 (STACK OF COINS)	\$500	15,000.00	848
(\$50 x 2) + (\$100 x 4)	\$500	15,000.00	848
\$500	\$500	15,000.00	848
(\$50 x 8) + (\$100 x 2) + (\$200 x 2) (MONEYBAG)	\$1,000	40,000.00	318
(\$50 x 8) + (\$100 x 2) + (\$200 x 2)	\$1,000	40,000.00	318
\$200 x 5	\$1,000	60,000.00	212
\$500 (STACK OF COINS)	\$1,000	40,000.00	318
\$1,000	\$1,000	60,000.00	212
\$500 + \$1,000 (STACK OF COINS)	\$2,500	120,000.00	106
\$2,500	\$2,500	120,000.00	106
\$10,000	\$10,000	120,000.00	106
\$250,000	\$250,000	1,060,000.00	12

(11) The estimated overall odds of winning some prize in Game Number 1318 are 1 in 4.04. Prizes, including the top

prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1318, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MAXIMUM MONEY lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-4-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 8-4-16.

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 3, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Birdie’s Coffee & Stuff located in Destin. The above-referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees.

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: George.Koehler@myfloridalicense.com, Division of Hotels

and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 26, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Pizza Napolitano located in Medley. 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 a nearby establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 42, No. 146, F.A.R., on July 28, 2016. The Order for this Petition was signed and approved on August 4, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship for the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Sweet & Tasty (FDACS firm# 372554) 8471 NW South River Drive, Medley FL, 33166, are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Pizza Napolitano (Pizza Napolitano, LLC) and/or Sweet & Tasty (Sweet & Tasty Corp) changes, an updated signed agreement for use of the bathroom facilities will be required immediately. A copy of the Order or additional information may be obtained by contacting: George.Koehler@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that on August 3, 2016, the Board of Professional Engineers received a petition for variance and waiver filed by Raghavender Joshi, regarding the

requirement of paragraph 61G15-20.007(1)(b), F.A.C., that applicants for licensure with non EAC/ABET accredited degrees demonstrate 9 hours of general education credits. The Board will consider this petition at its August 18, 2016, meeting. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address, (850)521-0050 or zraybon@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Board of Professional Engineers hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 21, 2016, by Adriana Jaegerman. The Notice of Petition for Variance or Waiver was published in Vol. 42, No. 16, of the January 26, 2016, Florida Administrative Register. Petitioner sought a waiver of subsection 61G15-35.003(1) F.A.C., requiring that relevant experience shall be within seven years preceding the submission of the application. The Board considered the instant Petition at a duly-noticed public meeting held on February 11, 2016, in Orlando, Florida.

After discussion with the Board, the Petitioner requested to withdraw the Petition for Wavier. The Board's Order, filed on March 1, 2016, granted Petitioner's request to withdraw the Petition.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, (850)521-0050.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Board of Professional Engineers hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 19, 2016, by Julian B. Irby. The Notice of Petition for Variance or Waiver was published in Vol. 42, No. 14, of the January 22, 2016, Florida Administrative Register. Petitioner sought a variance from or a waiver of subsection 61G15-23.003(1), F.A.C., requiring that engineering documents be signed by hand. The Board considered the instant Petition at a duly-noticed public meeting held on February 11, 2016, in Orlando, Florida.

The Board's Order, filed on March 1, 2016, granted the Petition for a Variance or Waiver with Conditions. The petition was in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida

Administrative Code. The Petitioner has shown that strict application of the rule would constitute an undue hardship on Petitioner. The Board further found that, with the imposition of certain conditions, the Petitioner will achieve the purposes of the underlying statute by other means. Those conditions are: the Petitioner must either personally stamp all documents being signed, or must personally supervise any person applying the signature stamp to the documents being signed.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, (850)521-0050.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-27.002 Concentrations in Accounting and Business

NOTICE IS HEREBY GIVEN that on July 25, 2016, the Board of Accountancy, received a petition for variance or waiver filed by Tanya Miller, seeking a variance or waiver of paragraph 61H1-27.002(2)(a), Florida Administrative Code, that requires an applicant for licensure to have at least 150 semester hours of college education that includes 36 semester hours in accounting at the upper division level including coverage of accounting, cost and managerial accounting, financial accounting, accounting information systems, and taxation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.025 Mixed Martial Arts Conduct of Bout; Rounds

NOTICE IS HEREBY GIVEN that on July 26, 2016, the Florida State Boxing Commission received a petition for a variance or waiver, filed by Larry Downs, Jr., of subsection 61K1-4.025(4), F.A.C., in regards to the age limit permitted to participant in amateur mixed martial arts.

A copy of the Petition for Variance or Waiver may be obtained by contacting Paul Waters, Executive Director, Florida State Boxing Commission, at the above address or (850)488-8500.

Comments on this petition should be filed with the Florida State Boxing Commission, 2601 Blair Stone Road,

Tallahassee, FL 32399-1016, within 14 days of publication of this notice.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, August 18, 2016, 3:30 p.m. and 5:00 p.m.

PLACE: Flagler County Administration Building Conference Room, 145 City Place, Suite 300, Palm Coast, FL 32164

GENERAL SUBJECT MATTER TO BE CONSIDERED: 3:30 p.m., Executive Director Search Committee; 5:00 p.m., Executive Committee.

A copy of the agenda may be obtained by contacting: Kara Hoblick, (386)446-7630.

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: Kara Hoblick, (386)446-7630. 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 EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 16, 2016, 2:00 p.m. – 3:00 p.m.

PLACE: Telephone conference: 1(888)670-3525, participant code: 1242528392 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss concerns of Invited Guests to the FRCB Public Forum in Fort Myers on July 28, 2016.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.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 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, Florida

32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.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 The Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, Florida 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 13, 2016, 10:00 a.m.

PLACE: Valencia College, Criminal Justice Institute Auditorium, Room 100, 8600 Valencia College Lane, Orlando, FL 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: Anjani Torres, (850)410-8625, AnjaniTorres@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anjani Torres, (850)410-8625, AnjaniTorres@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Anjani Torres, (850)410-8625, AnjaniTorres@fdle.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation announces a hearing to which all persons are invited.

DATE AND TIME: August 23, 2016, 1:30 p.m.

PLACE: Haydon Burns Building, Room 314, 605 Suwannee Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss revisions to Chapter 18 - Signing and Marking of the Florida Greenbook, and provide guidance on the signing and marking of reduced speeds in school zones.

A copy of the agenda may be obtained by contacting: Mary Anne Koos, (850)414-4321, maryanne.koos@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mary Anne Koos, (850)414-4321,

maryanne.koos@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). 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: Mary Anne Koos, (850)414-4321, maryanne.koos@dot.state.fl.us.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 8, 2016, 10:00 a.m., ET

PLACE: Telephone conference: 1(888)670-3525, participant code: 1760507820 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

For more information, you may contact: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Energy Rating Index Workgroup, announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2016, 10:00 a.m. or immediately upon completion of Plenary session

PLACE: Embassy Suites Hotel, 1100 SE 17th Street Causeway, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue discussion and provide recommendations to the Commission regarding the following: (a) whether onsite renewable power generation may be used for compliance, and (b) whether onsite renewable power generation may be used for a period longer than three years but not more than six consecutive years.

A copy of the agenda may be obtained by contacting: Mr. Norman Bellamy, Building Codes and Standards Office,

Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, calling (850)487-1824 or visiting the calendar on our website at <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

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

DATE AND TIME: August 15, 2016, 10:00 a.m. until completion

PLACE: Embassy Suites Hotel, 1100 SE 17th Street Causeway, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and decide on proposed research projects for FY 2016-2017.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Room C425A, 2601 Blair Stone Road, Tallahassee, Florida 32399, calling (850)487-1824 or visiting the calendar on our website at <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Room C425A, 2601 Blair Stone Road, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at <http://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, August 15, 2016, 3:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, (407)481-5662. Only public portions of the agenda are available upon request.

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 Division of Real Estate, (407)481-5662. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 16, 2016, 8:30 a.m., ET; reconvening Wednesday, August 17, 2016, 8:30 a.m., ET

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Official business of Commission –topics to include, but not be limited to, proposed legislation affecting Chapter 475, Part I,

F.S., Chapter 61J2 rule discussion, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford at lori.crawford@myfloridalicense.com or Mike Davis at michael.davis@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 23, 2016, 1:30 p.m.

PLACE: Telephone conference: 1(888)909-7654, participant code: 128126

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The workshop is designed to give the Employment Policies Committee an opportunity to discuss employment policies and employee benefits of the Florida Mobile Home Relocation Corporation.

A copy of the agenda may be obtained by contacting: Vicky Krentz, 1(888)862-7010.

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: Vicky Krentz, 1(888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL 33765, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Recreation and Parks

The Florida Department of Environmental Protection announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, August 17, 2016, 5:00 p.m., ET

PLACE: Fanning Springs Community Center, 9929 Florida St., Fanning Springs, Florida 32693

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan update for Fanning Springs State Park.

A copy of the agenda may be obtained by contacting: Mark Abrizenski, Park Manager, Fanning Springs State Park, 18020 NW Highway 19, Fanning Springs, FL 32693, (352)463-3420, fax: (352)493-6089, Mark.Abrizenski@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>.

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: Mark Abrizenski as 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).

For more information, you may contact: Mark Abrizenski as listed above.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Recreation and Parks

The Florida Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 18, 2016, 9:00 a.m., ET

PLACE: Fanning Springs Community Center, 9929 Florida St., Fanning Springs, Florida 32693

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed unit management plan update for Fanning Springs State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: Mark Abrizenski, Park Manager, Fanning Springs State Park, 18020 NW Highway 19, Fanning Springs, FL 32693, (352)463-3420, fax: (352)493-6089, Mark.Abrizenski@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of

the public meeting online at <https://www.fldepnet.org/public-notices>.

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: Mark Abrizenski as 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).

For more information, you may contact: Mark Abrizenski as listed above.

DEPARTMENT OF HEALTH

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

DATE AND TIME: Tuesday, August 16, 2016, 9:00 a.m. – 10:00 a.m., ET

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Suite 135Q, Tallahassee, FL 32399; telephone conference: toll-free number: 1(877)309-2070, access code: 450-802-645; online meeting, <https://www.gotomeet.me/amonbryant/advisory-council-meeting-8>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Information Clearinghouse on Developmental Disabilities Advisory Council will provide technical assistance to the Department of Health in the establishment of a website of resource information related to Down syndrome and other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465, Anna.Simmons@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4465, Anna.Simmons@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).

For more information, you may contact: Anna Simmons, (850)245-4465, Anna.Simmons@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

The Florida Department of Health (DOH) announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2016, 9:30 a.m. – 1:00 p.m., ET or until completion

PLACE: Reedy Creek Improvement District, Third Floor, 1900 Hotel Plaza Blvd., Lake Buena Vista, FL 32830 (parking in adjacent AAU lot); telephone conference: 1(888)670-3525 toll-free, participant code: 7708044610 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This bimonthly meeting of the Public Swimming Pool and Bathing Place Advisory Review Board is for the Board to recommend agency action on variance application requests.

A copy of the agenda may be obtained online at www.floridahealth.gov/environmental-health/swimming-pools/index.html or by contacting: Mr. August Ursin, Florida Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Mail Bin A08, Tallahassee, FL 32399-1710, (850)245-4444, ext. 2716, August.Ursin@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mr. Ursin, contact information is 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).

For more information, you may contact: Mr. Ursin, contact information is listed above.

**DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation**

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: August 18, 2016, 9:00 a.m.

PLACE: Senate Office Building, Room 401, Florida State Capitol, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizens Property Insurance Corporation (“Citizens”) has requested statewide average rate changes for Coastal Account (“CA”), Commercial Lines Account (“CLA”), and the Personal Lines Account (“PLA”). These accounts include, but are not limited to: commercial property, homeowners, mobile home, and dwelling/fire. The below chart identifies the proposed rate changes that have already been filed with the Office:

- 16-16024: +6.9% to Homeowners Multi-Peril (PLA)
- 16-16025: +8.2% to Homeowners Multi-Peril Wind Only (CA)
- 16-16575: +5.3% to Property/Personal (Dwelling Fire) Wind Only (CA)
- 16-16576: +9.3% to Property/Personal (Dwelling Fire) (PLA)
- 16-16785: +5.7% to Mobile Home Multi-Peril (PLA)
- 16-16788: +10.3% Mobile Home Multi-Peril Wind Only(CA)
- 16-16866: +10.5% Mobile Home Physical Damage (CA)
- 16-16867: +3.2% Mobile Home Physical Damage (PLA)

(There are no proposed rate changes for sinkhole coverage. Additional filings received prior to the hearing may be discussed.)

The effective date for the Coastal Account (“CA”), Commercial Lines Account (“CLA”), and Personal Lines Account (“PLA”) is February 1, 2017, for new and renewal business.

An agenda listing the rate filings subject to this hearing will be posted to the Office’s website at <http://www.flor.com>.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurer as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com; the subject line of your email should read “Citizens.”

Any comments or concerns not addressed at the public hearing may be forwarded to ratehearings@flor.com; the subject line of your email should read “Citizens.” The record will be open for public comment until September 1, 2016, for all filings.

A copy of the agenda may be obtained by contacting: Lacy End-Of-Horn, Esquire, (850)413-4292 or Gloria Merritt, (850)413-5356.

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: Gloria Merritt, (850)413-5356, gloria.merritt@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lacy End-Of-Horn, Esquire, (850)413-4292 or Gloria Merritt, (850)413-5356.

CAREERSOURCE FLORIDA

CareerSource Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 10, 2016, 9:00 a.m. – 12:30 p.m.

PLACE: Teleconference/webinar, 1580 Waldo Palmer Lane, Suite 1, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters before the CareerSource Florida Board of Directors.

A copy of the agenda may be obtained by contacting: www.careersourceflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Kim Yablonski, (850)921-1119. 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: Kim Yablonski, (850)921-1119.

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-501.302 Copying Services for Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from inmate Antonio Johnson, DC# 446897. The petition seeks the agency’s opinion as to the applicability of subsection 33-501.302(1) as it applies to the petitioner.

The petition seeks to resolve a controversy or answer questions or doubts regarding the application of subsection 33-501.302(1), Florida Administrative Code (“F.A.C.”), relating to copying services for inmates.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Talent Agencies has declined to rule on the petition for declaratory statement filed by Michael Fernando Sierra Miranda on July 05, 2016. The following is a summary of the agency’s declination of the petition:

The petitioner sought a declaratory statement as to the applicability of 468.403 as it applies to the conduct of someone other than Petitioner. The Department declines to issue a declaratory statement regarding conduct by someone other than the Petitioner as a declaratory statement is not the appropriate means for determining the conduct of another person.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk’s Office, 2601 Blair Stone Rd., Tallahassee, Florida 32399-2202, Telephone: (850)921-0342, Email: AGC.Filing@myfloralicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that the Board of Professional Engineers has issued an order disposing of the petition for declaratory statement filed by Mr. and Mrs. Tom Shoquist on March 14, 2016. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 42, No. 57, of the March 23, 2016, Florida Administrative Register. Petitioner sought a declaratory statement regarding the definitions in 471.005(7) and 471.031(1)(a), FS., as to whether those statutes require on-site construction inspections, conducted to determine the percentage of work completed on a new, permitted construction project in accordance with the drawings and specifications, are required to be performed by a licensed engineer or an architect. The Board considered the instant Petition at a duly-noticed public meeting held on April 14, 2016, in Orlando, Florida. At the meeting, Petitioner moved to withdraw the Petition. The Board’s Order, filed on May 3, 2016, granted Petitioner’s request to withdraw the Petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, (850)521-0050.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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**

DEPARTMENT OF EDUCATION

University of South Florida

Notice for Professional Services: Design/Build Teams

Notice to Design/Build Teams

Request for Qualifications

NOTICE TO DESIGN/BUILD TEAMS REQUEST FOR QUALIFICATIONS

The University of South Florida (USF), announces that Qualifications Based Design/Build Services, for design and construction services will be required for the project listed below.

PROJECT NUMBER: 554

PROJECT AND LOCATION: USF Tampa Library Remodel & Learning Enhancement – Phase II, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION: This project consists of the renovations and improvements to the 5th floor, a portion of the 4th floor and renovations of the restrooms on five floors, including a new plumbing stack. The estimated construction cost is \$2,050,000.

The Design/Build Team, also known as the Design and Construction Services Team (DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The DCST services contract shall be in compliance with the Qualifications Based Design/Build selection provisions in Section 287.055, Florida Statutes, and Board of Governors Regulation 14.0055, including pre-construction fees, construction related service costs and a Guaranteed Maximum Price (GMP).

It is the University’s responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

The University of South Florida (USF), will contract with a single contract entity DCST who shall provide all services including, but not limited to development of the Facilities Program, professional services, budgeting, cost estimating, construction services, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer drawings according to the standards of USF, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required for this project in the amount of \$250,000 and will be provided as a part of Basic Services. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best Rating A, Class VIII. Project development including professional services is contingent upon availability of funds. If additional funding is realized, USF has the option to incorporate additional scope/funding under this contract. Any new construction projects shall be USGBC LEED certified, to a minimum certification level of Silver, as required by the Owner, and shall be included as part of basic services and will not be considered as an additional service.

INSTRUCTIONS:

Teams desiring to apply for considerations shall submit a Request for Qualification submittal consisting of the information as required in the Submittal Requirements of the Request for Qualifications (RFQ) dated August 5, 2016, including a letter of interest, a completed USF Design and Construction Services Qualification Supplement (DCSQS) dated August 5, 2016 with attachments, and any required or additional information within the proposal limits as described in the RFQ. Applications on any other form may not be considered. The Request for Qualifications (RFQ) dated August 5, 2016 and the USF Design and Construction Services Qualification Supplement (DCSQS) dated August 5, 2016 which includes project information and selection criteria, may be obtained by contacting Linda Harper, Facilities Management, Design & Construction, University of South Florida, 4202 East Fowler Avenue, OPM100, Tampa, FL 33620-7550, lharper@usf.edu, (813) 974-0334, Fax: (813) 974-3542. Applications which do not comply with the above instructions may be disqualified. Submittals are part of the public record. Application materials will not be returned. Teams must be properly registered to practice its profession(s) and licensed as General Contractor in the State of Florida at the time of application. If the applicant is a corporation, or a joint venture, it must be chartered by the Florida Department of State to operate in Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application

to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Pre-Submittal Meeting: All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 4:00PM EST, August 16, 2016, at the: University of South Florida, Tampa Campus, PTB Training Room, 4202 East Fowler Avenue, Tampa, FL 33620-7550, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, or view map at website: www.usf.edu/administrative-services/parking/maps/index.aspx).

Request for Meetings: Requests for meetings by individual firms will not be granted. No communication shall take place between the applicants and the Selection Committee members, employees of USF except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the USF Design and Construction Services Qualification Supplement (DCSQS) and Request for Qualifications (RFQ) dated August 5, 2016 (which includes project information and selection criteria).

Submission: One original and 3 spiral-bound copies of the submittals are to be submitted to the attention of Steve Lafferty, Assistant Director, University of South Florida, Design and Construction Office, 4202 East Fowler Avenue / OPM100, Tampa, FL 33620-7550 by 2:00PM EST, September 2, 2016. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Submittals that do not comply with the above instructions may be disqualified. The award of this contract is subject to availability of funds. The University reserves the right to suspend, discontinue or cancel the selection process at any time and reject any or all submissions without obligation to the respondent.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications of the proposed Design and Construction Services Team (DCST), including team qualifications, team experience, and ability to provide services in meeting the project requirements and the goals and objectives of the of the project and USF Strategic Plan.

As part of the USF Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. USF is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (MBE) in the provision of design and construction-related services by providing a fair and equal opportunity to compete

for, or to participate in design and/or construction-related services.

The plans and specifications for the USF projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

DEPARTMENT OF CORRECTIONS

Roof Replacement of Dorms A & B at South Florida
Reception Center, and the Main Unit at Opa Locka Work
Release Center

Advertisement for Bids

Bids are requested from certified roofing contractors by the Florida Department of Corrections (FDC), for the construction of:

Project #: NX 32

Project Name & Location: Roof Replacement of Dorms A & B at South Florida Reception Center, 14000 NW 41st Street, Doral FL 33178 & Roof Replacement of the Main Unit at Opa Locka Work Release Center, 5400 NW 135th Street, Opa Locka FL 33054

Performance Bond and Labor and Material Payment Bond: If the construction Contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Public Entity Crime Information Statement: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime, may not submit a Bid on a Contract to provide any goods or services to a public entity; may not submit a Bid on a Contract with a public entity for the construction or repair of a public building or public work; may not submit Bids on leases of real property to a public entity; may not be awarded or perform work as a Contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes (F.S.) for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

Prequalification: Each Bidder, whose field is governed by Chapter 399, 489, and 633 F.S., for licensure or certification, must submit prequalification evidence of their eligibility to submit Bids, as soon as possible. Bidders must receive

confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact Mr. John Melton, at melton.john@mail.dc.state.fl.us for prequalification instructions. After the bid opening, the low Bidder must qualify in accordance with Rule 60D-5.004, Florida Administrative Code (F.A.C.). A copy of the rule requirements is included in the "Instruction to Bidders," under Article B-2 "Bidder Qualification Requirements and Procedures."

Sealed Bids will be received, publicly opened, and read aloud on:

Date and Time: September 6, 2016, at 2:00 p.m., Eastern Time (ET).

Place: Rodriguez, Peterson & Porras Architects, Inc. 5801 NW 151st Street, Suite 202, Miami Lakes, Florida 33014

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid opening, shall contact the person listed below at least (5) business days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

Bid: Bids must be submitted, in full, in accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the: Engineer listed below.

Architect/Engineer: Rodriguez, Peterson & Porras Architects, Inc.

Name & Title: Orestes R. Rodriguez, Principal

Telephone: (305)822-1020; Email: orodriguez@rpparchitects.com

Drawings and specifications may be purchased for a non-refundable price of \$75.00 per printed set and \$25.00 per electronic set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A mandatory pre-bid conference will be held on August 16, 2016 at 9:00 a.m., ET at the South Florida Reception Center (SFRC). A brief walk-through of the work area(s) will be conducted as part of the pre-bid conference. Everyone attending the pre-bid conference must have completed a background screening, have a valid driver's license, or a valid photo ID, and must sign in and out at the SFRC Administrative Office. For a background check, interested parties must send an email to David Partenheimer at partenheimer.david@mail.dc.state.fl.us at least two (2) business days prior to the date of the site visit, and furnish them with the following information on all attendees: Attendee's full name, social security number, date of birth, gender, race, driver's license number, and state of issuance. Persons present as attendees must be the same individuals for

whom information was provided and must be approved by the Department prior to the site visit. For security reasons, admittance of any person not previously approved is at the sole discretion of the Warden. Bidders who did not seek prior approval may be denied access.

Note: Any technical questions regarding this Bid, or requests for substitutions, must be submitted in writing, by email, to the address listed below, and must be received no later than August 22, 2016 @ 5:00 p.m. ET. Only written questions and answers will be binding. Email: orodriguez@rpparchitects.com please put "SFRC and Opa Locka Bid" in the subject line.

Contract Award: Bid Tabulation and Notice of Award Recommendation will be sent to Bidders by email, return receipt requested. If no protest is filed per Article B-22 of the Instructions to Bidders, "Notice and Protest Procedures," the Contract will be awarded by the Secretary, Florida Department of Corrections. The Department reserves the right to reject any or all Bids.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Correction for Headquarter Auto Group of Central Florida, Ltd., d/b/a Headquarter Hyundai relocation of Hyundai vehicles

NOTICE OF CORRECTION

Notice is hereby given of a correction to the title of the notice of relocation of Headquarter Auto Group of Central Florida, Ltd., d/b/a Headquarter Hyundai, as a dealership for the sale and service of new Hyundai motor vehicles in Sanford (Seminole County) by Hyundai Motor America, published in the Florida Administrative Register on August 4, 2016. The title to the notice incorrectly stated that the relocation was temporary until completion of building. The relocation is not temporary.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.025 Mixed Martial Arts Conduct of Bout; Rounds

NOTICE TO INITIATE RULEMAKING

The Florida State Boxing Commission hereby gives notice that it has received a petition, filed July 26, 2016, by Larry Downs, Jr. The petitioner seeks to initiate rulemaking for Rule 61K1-4.025, F.A.C., in regards to the foul or illegal technique of striking of the head of a grounded or downed opponent,

except after three verifiable sanctioned amateur mixed martial arts bouts.

Comments on this petition should be filed with the Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016, within 14 days of publication of this notice.

For a copy of the petition, contact: Paul Waters, Executive Director, Florida State Boxing Commission, at the above address or (850)488-8500.

DEPARTMENT OF HEALTH

Board of Medicine

Notice of Emergency Action

On August 3, 2016, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Fernando Mendez-Villamil, M.D., License # ME 75685. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2015-2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

Pursuant to Section 121.055, Florida Statutes, the Florida Clerks of Court Operations Corporation (CCOC) provides public notice of the intent to include the following position in the Florida Retirement System's Senior Management Service Class effective September 1, 2016: Budget and Communications Director. Additional information may be obtained by writing to the Florida Clerks of Court Operations Corporation, Attn: Mary Baker, 2560-102 Barrington Circle, Tallahassee, Florida 32308.

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.
