

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO.: **RULE TITLE:**
 25-6.0345 Safety Standards for Construction of New
 Transmission and Distribution Facilities

PURPOSE AND EFFECT: To update the rule so that the most recent version of the National Electric Safety Code (NESC) (IEEE C2- 2017 edition) is incorporated by reference. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The rule informs investor-owned electric utilities, rural electric cooperatives, and municipal electric systems of the applicable safety standards for construction of new transmission and distribution facilities.

RULEMAKING AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.04(2),(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela H. Page, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us

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 ENVIRONMENTAL PROTECTION

RULE NO.: **RULE TITLE:**
 62-304.305 Ochlockonee Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for certain waters impaired for nutrients in the Ochlockonee River Basin. Furthermore, in accordance with paragraph 62-302.531(2)(a), F.A.C., the nutrient TMDLs for Lake Tallavana and Lake Talquin will constitute a site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(90)(b), F.A.C., that will supersede the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2), F.A.C., for these surface water segments.

SUMMARY: These TMDLs address certain nutrient impairments in the Ochlockonee River Basin. Specifically, the nutrient TMDL rules being proposed for adoption are for Lake Talquin and Lake Tallavana. These waterbodies were verified for nutrient impairments due to elevated chlorophyll a concentrations using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. This rulemaking has been given OGC case number 16-0219.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC estimates that there will be no additional costs within one year after the rule becoming effective, but total costs after implementation of the rule are estimated to be \$5,001,849 per year for Lake Talquin and \$106,085 per year for Lake Tallavana, the majority of which is expected to be borne by governmental entities in the watershed.

Pursuant to paragraph 403.067(6)(c), Florida Statutes, the proposed rules do not 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: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 3, 2017, 2:00 p.m.

PLACE: Bob Martinez Center, 2600 Blair Stone Road, Conference Room 609, Tallahassee, Florida

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: Shamyah Gibson, (850)245-8556. 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: Erin Rasnake, Division of Environmental Assessment and Restoration, Water Quality Evaluation and TMDL Program, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone: (850)245-8338.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.305 Ochlockonee River Basin TMDLs.

(1) through (3) No change.

(4) Lake Tallavana. The nutrient Total Maximum Daily Load (TMDL) for Lake Tallavana is a seven-year average of annual loads of 11,757 kilograms per year (kg/year) TN and 785 kg/year TP which are intended to achieve the applicable annual geometric mean chlorophyll *a* criterion for high color lakes, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLA for discharges subject to the department's NPDES Municipal Separate Storm Sewer System (MS4) Permitting Program is not applicable.

(c) The Load Allocation (LA) for nonpoint sources is a 25% reduction of TN and an 83% reduction of TP based on average loads from the 2002-2012 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP has been expressed as the percent reduction needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the restoration of nutrient conditions in the impaired waterbody. However, it is not the intent of this TMDL to abate natural background conditions.

(5) Lake Talquin. The nutrient TMDL for Lake Talquin is a seven-year average of annual loads of 671,736 kg/year TN and 66,322 kg/year TP which are intended to achieve the applicable annual geometric mean chlorophyll *a* criterion for high color lakes, and is allocated as follows:

(a) The WLA for wastewater point sources is divided between the City of Quincy domestic wastewater facility (NPDES permit FL0029033) and the City of Tallahassee A. B. Hopkins power plant (NPDES permit FL0025518). The allocation to the Quincy wastewater facility for TP is 1,271 kg/year and 4,922 kg/year for TN. The allocation to the Hopkins power plant for TP is 2,187 kg/year and 1,020 kg/year for TN.

(b) The WLA for discharges subject to the department's NPDES MS4 Permitting Program is a 27.2% reduction of TN and a 32.9% reduction of TP based on average nutrient loads from the 2006-2012 period.

(c) The LA for nonpoint sources in Florida and Georgia is a 27.2% reduction of TN and an 32.9% reduction of TP based on average loads from the 2006-2012 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and MS4 WLA for TN and TP has been expressed as the percent reduction needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint

sources that will result in the restoration of nutrient conditions in the impaired waterbody. However, it is not the intent of this TMDL to abate natural background conditions.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 10-21-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Frick, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 18, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 6, 2015

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.500 Ocklawaha River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for certain waters impaired for nutrients in the Ocklawaha River Basin. Furthermore, in accordance with paragraph 62-302.531(2)(a), F.A.C., the nutrient TMDLs for Lake Denham, Lake Weir, and Marshall Lake, will constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(90)(b), F.A.C., that will supersede the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2), F.A.C., for these surface water segments.

SUMMARY: These TMDLs address certain nutrient impairments in the Ocklawaha River Basin. Specifically, the nutrient TMDL rules being proposed for adoption are for Lake Denham, Lake Weir, and Marshall Lake. These waterbodies were verified for nutrient impairments due to elevated chlorophyll *a* concentrations using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. This rulemaking has been given an OGC case number 16-1323.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC estimates that there will be no additional costs within one year after the rule becoming effective, but total costs after implementation of the rule are estimated to be \$262,000 per year for Lake Denham, \$1,117,000 per year for

Lake Weir, and \$284,000 per year for Marshall Lake, the majority of which is expected to be borne by governmental entities in the watersheds.

Pursuant to paragraph 403.067(6)(c), Florida Statutes, the proposed rules do not 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: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 3, 2017, 2:00 p.m.

PLACE: Bob Martinez Center, 2600 Blair Stone Road, Conference Room 609, Tallahassee, Florida

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: Shamyah Gibson, (850)245-8556. 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: Erin Rasnake, Division of Environmental Assessment and Restoration, Water Quality Evaluation and TMDL Program, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone: (850)245-8338.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.500 Ocklawaha River Basin TMDLs.

(1) through (20) No change.

(21) Lake Denham. The nutrient Total Maximum Daily Load (TMDL) for Lake Denham is a seven-year average of annual loads of 16,468 kilograms per year (kg/year) Total Nitrogen (TN) and 593 kg/year Total Phosphorus (TP), which are intended to achieve an annual geometric mean chlorophyll *a* concentration of 26.8 µg/L, and is allocated as follows:

(a) The wasteload allocation (WLA) for wastewater point sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Separate Storm Sewer System (MS4) Permitting Program is a 61% reduction of TN and a 61% reduction of TP based on average concentrations from the 2000-2012 period.

(c) The Load Allocation (LA) for nonpoint sources is a 61% reduction of TN and an 61% reduction of TP based on average loads from the 2000-2012 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP has been expressed as the percent reduction needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the restoration of nutrient conditions in the impaired waterbody. However, it is not the intent of this TMDL to abate natural background conditions.

(22) Lake Weir. The nutrient TMDL for Lake Weir is a seven-year average of annual loads of 27,432 kg/year TN and 1,667 kg/year TP, which are intended to achieve the applicable annual geometric mean chlorophyll *a* criterion for low color and low alkalinity lakes, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES MS4 Permitting Program is a 19% reduction of TN and a 39% reduction of TP based on average concentrations from the 2000-2012 period.

(c) The LA for nonpoint sources is a 19% reduction of TN and a 39% reduction of TP based on average loads from the 2000-2012 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP has been expressed as the percent reduction needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the restoration of nutrient conditions in the impaired waterbody. However, it is not the intent of this TMDL to abate natural background conditions.

(23) Marshall Lake. The nutrient TMDL for Marshall Lake is a seven-year average of annual loads of 2,046 kg/year TN and 97 kg/year TP, which are intended to achieve the applicable annual geometric mean chlorophyll *a* criterion for low color and high alkalinity lakes, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES MS4 Permitting Program is a 35% reduction of TN and a 69% reduction of TP based on average concentrations from the 2000-2012 period.

(c) The Load Allocation (LA) for nonpoint sources is a 35% reduction of TN and a 69% reduction of TP based on average loads from the 2000-2012 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP has been expressed as the percent reduction needed to attain the applicable Class III nutrient criteria, it is the combined

reductions from both anthropogenic point and nonpoint sources that will result in the restoration of nutrient conditions in the impaired waterbody. However, it is not the intent of this TMDL to abate natural background conditions.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History— New 8-14-03, Amended 12-3-03, 5-25-04, 6-12-06, 2-5-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Frick, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 18, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 6, 2015

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

- RULE NOS.: RULE TITLES:
- 64B15-12.003 Applications for Licensure
 - 64B15-12.005 Limited Licensure
 - 64B15-12.010 Temporary Certificate to Practice in an Area of Critical Need
 - 64B15-12.011 Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the revised applications for licensure into the appropriate rules.

SUMMARY: The proposed rule amendments incorporate the revised application forms for licensure into the appropriate licensure rules. Specifically, the revised forms include clarifying language with regard to financial responsibility; correcting language with regard to military veterans’ fee waiver and military fee waiver; deleting questions with regard to applicant’s height, weight, etc.; and correcting footers in the applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule

at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.005, 459.0055, 459.0075, 459.0077 FS.

LAW IMPLEMENTED: 456.013, 456.0135, 456.0635, 459.0055, 459.0065, 459.0075, 459.0076, 459.00761, 459.0077, 459.0085 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.003 Applications for Licensure. Applications for licensure by examination or endorsement must include a completed application form and appropriate fee as set forth in Section 459.0055, F.S., and subsection 64B15-10.002(1), F.A.C. The instructions and application form, DH-MQA 1029, (Revised 11/16 07/16), entitled “Application For Licensure” is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07410>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or from the website at: <http://www.floridasosteopathicmedicine.gov/>. Such application and fee shall expire one year from the date on which the application is initially received by the Board. After a period of one year a new application and fee must be submitted.

Rulemaking Authority 456.013, 459.005, 459.0055, 459.0092 FS. Law Implemented 456.013, 456.0135, 456.0635, 456.039, 456.50, 459.0055, 459.0085, 459.0092 FS. History—New 6-4-91, Formerly 21R-12.003, 61F9-12.003, Amended 10-15-95, Formerly 59W-12.003, Amended 9-26-00, 3-9-03, 6-1-09, 5-4-10, 9-16-10, 2-14-12, 7-3-12, 8-1-13, 7-22-14, 8-13-15, 9-11-16,_____.

64B15-12.005 Limited Licensure.

(1) Each applicant for limited licensure pursuant to Section 459.0075, F.S., shall file board approved application form, DH-MQA 1171 (Revised 11/16 7/46), Application for Limited License, which is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07411>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by web at www.doh.state.fl.us/mqa/osteopath/index.html. For purposes of this rule, retired means previously separated or withdrawn from the practice of Osteopathic Medicine, as distinguished from a relocation of the applicant’s practice to a different geographic area.

(2) through (4) No change.

Rulemaking Authority 459.005, 456.013, 459.0075, 459.0092 FS. Law Implemented 456.013, 456.0135, 456.039, 456.50, 456.0635, 459.0055, 459.0075, 459.0085, 459.0092 FS. History–New 10-28-93, Formerly 61F9-12.005, Amended 10-15-95, Formerly 59W-12.005, Amended 11-27-97, 6-28-09, 3-25-10, 6-23-10, 8-1-13, 12-22-13, 9-11-16.

64B15-12.010 Temporary Certificate to Practice in an Area of Critical Need. Applications for Temporary Certificate to Practice in an Area of Critical Need must include a completed application form and appropriate fee as set forth in Section 459.0076, F.S., and Rule 64B15-10.002, F.A.C. The instructions and application form, DH-MQA 1249, (11/16 7/46), entitled “Application For Temporary Certificate for Practice in an Area of Critical Need” is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07412>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or from the website at: www.doh.state.fl.us/mqa/osteopath/index.html. Such application and fee shall expire one year from the date on which the application is initially received by the Board. After a period of one year a new application and fee must be submitted.

Rulemaking Authority 456.013, 459.005 FS. Law Implemented 456.013, 456.0135, 456.039, 456.0635, 456.50, 459.0055, 459.0076, 459.0085 FS. History–New 2-28-12, Amended 8-1-13, 3-30-15, 9-11-16,_____.

64B15-12.011 Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need. Applications for Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need must include a completed application form and appropriate licensure fee as set forth in Section 459.00761, F.S., and Rule 64B15-10.002, F.A.C. The instructions and application form,

DH5002-MQA, (11/16 7/46), entitled “Application For Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need” is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07413>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or from the website at: www.floridasosteopathicmedicine.gov. Such application and fee shall expire one year from the date on which the application is initially received by the Board. After a period of one year a new application and fee must be submitted.

Rulemaking Authority 456.013, 459.005 FS. Law Implemented 456.013, 456.0135, 456.039, 456.0635, 456.50, 459.0055, 459.00761, 459.0085 FS. History–New 8-14-14, Amended 9-11-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 18, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2016

DEPARTMENT OF HEALTH

Prescription Drug Monitoring Program

RULE NO.: RULE TITLE:

64K-1.003 Accessing Database

PURPOSE AND EFFECT: To provide for designee and impaired practitioner consultant access as required by legislation.

SUMMARY: The rule is being amended to provide for designee and impaired practitioner consultant access to the prescription drug monitoring database and to update and add necessary forms and training courses, as required by legislation.

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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1

million within five years as established in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 893.055, FS.

LAW IMPLEMENTED: 893.055, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Program Manager, 4052 Bald Cypress way, Bin #C-16, Tallahassee, FL 32399-3250, 850-245-4797 or Rebecca.Poston@FIHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64K-1.003 Accessing Database.

(1) Definitions:

(a) “Designee” means a person, preferably a licensed or certified health care professional, appointed to act as an agent of a prescriber or dispenser for the purposes of requesting or receiving information from the Prescription Drug Monitoring Program database, E-FORCSE®.

(b) “Impaired practitioner consultant” means an approved impaired practitioner program designated by the department through contract with a consultant to evaluate, refer and monitor impaired practitioners. The department has designated the Intervention Project for Nurses (IPN) and Professionals Resource Network (PRN) as the Approved Impaired Practitioner Programs.

(2)(a)(1) ~~Pharmacists, prescribers and dispensers licensed in Florida may directly access the information in the program database by registering on the E-FORCSE® secure web portal at <https://flpdmp-phreg.hidinc.com> using the temporary user name “newacct” and temporary password “welcome.” A written request may be submitted to the program manager if information must be received by alternate means. A pharmacist, prescriber or dispenser must review the “Training Guide for Florida Practitioners and Pharmacists,” DH8009-PDMP, effective 7/2016 1/2015, which is incorporated herein by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####06456> prior to registering. Certification of this review is required before registration can be completed. A permanent user name and password will be emailed to the successful registrant. Registration denials, stating the reason for denial, will be emailed to the unsuccessful registrant.~~

(b) A prescriber or dispenser may request and receive information from the database using a secure web service

associated with his or her electronic health record. The web service shall transmit the authorized user’s login credentials and query parameters to E-FORCSE® for authentication. If the user is authenticated, E-FORCSE® will return query results to the authorized user through the web service for display only viewing within the authorized user’s electronic health record.

(3)(a) A designee of a prescriber or dispenser may directly access the information in the program database by registering on the E-FORCSE® secure web portal at <https://flpdmp-phreg.hidinc.com> using the temporary user name “newacct” and temporary password “welcome.” A written request may be submitted to the program manager if information must be received by alternate means. A designee must review the “Training Guide for Florida Practitioners and Pharmacists” and the “Information Security and Privacy Training Course for Designees,” DH8019-PDMP, effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, prior to registering. A permanent user name and password will be emailed to the successful registrant. Registration denials, stating the reason for the denial, will be emailed to the unsuccessful registrant.

(b) A registered designee will not have access to the database until the designating prescriber or dispenser affirmatively accepts responsibility for the designee and links the designee to a pharmacy, prescriber or dispenser E-FORCSE® account as described in the “Training Guide for Florida Practitioners and Pharmacists.” The linking process will require the prescriber or dispenser to certify that the designee has reviewed the “Training Guide for Florida Practitioners and Pharmacists” and the “Information Security and Privacy Training Course for Designees.” The designating prescriber or dispenser shall maintain printed copies of the certification of these reviews and make them available to the program manager upon request.

(c) Registered designees who do not access the E-FORCSE® database for a period in excess of six months will be deactivated. Deactivated designees may reapply for access.

(4)(a)(2) Entities that do not have direct access to the database may request information from the program manager by having the agency head or a person appointed by the agency head for this purpose ~~designee~~ execute an “Agency User Agreement,” DH8017-PDMP, effective 7/2015, incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06462>. If approved, the program manager will execute and return the agreement to the agency.

(b)(3) After approval of the Agency User Agreement, ~~e~~Each agency head or person appointed by the agency head for this purpose ~~designee~~ shall appoint an agency

administrator with an “Agency Administrator Appointment Form,” DH 8010-PDMP, effective 1/2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06457>. Approved administrators will be notified and provided instructions for appointing authorized users.

(c) Each agency head or person appointed by the agency head for this purpose shall immediately notify the program manager or support staff of a change in the agency administrator. Authority to request and receive information from the E-FORCSE® database shall be suspended during an agency administrator vacancy.

(d)(4) Each agency administrator may appoint authorized users to request and receive information on behalf of the agency using an “Agency Authorized User Appointment Form,” DH-8015-PDMP, effective 1/2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06460>. Prior to appointment each authorized user must review the “Training Guide for Enforcement and Investigative Agencies,” DH-8012-PDMP, effective 06/2016 4/2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####06458>, and the “E-FORCSE® Information Security and Privacy Training Course, effective 7/2016 4/2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####06464>. Certification of these reviews is required before registration can be completed. The authorized user must provide printed copies of the certifications from both courses to the agency administrator who shall maintain them for the duration of the appointment and make them available for examination upon request of the program manager. Approved authorized users will be notified by email and provided with instructions for requesting and receiving information through the secure E-FORCSE® web portal.

(e)(5) No change.

~~(6) Each agency head or designee shall immediately notify the program manager or support staff of a change in the agency administrator. The program shall suspend authority to request and receive information from the program database during an agency administrator vacancy.~~

(f)(7) No change.

(5)(a) Impaired practitioner consultants do not have direct access to the information in the database but may request and review information relating to persons referred to or participating in the approved impaired practitioner programs from the program manager by having the Medical Director or Executive Director of the approved impaired practitioner program execute an “Impaired Practitioner Consultant User Agreement,” DH8020-PDMP, effective 7/2016, incorporated

by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>. If approved, the program manager will execute and return the agreement to the Medical Director or Executive Director of the approved impaired practitioner program.

(b) The impaired practitioner consultant shall immediately notify the program manager or support staff of a change of Medical Director or Executive Director. Authority to request and receive information from the E-FORCSE® database shall be suspended while the position of Medical Director or Executive Director is vacant.

(c) Upon approval of the impaired practitioner consultant user agreement, the Medical Director or Executive Director of the approved practitioner program may appoint up to three (3) authorized users who are employees of the approved impaired practitioner consultant to request and receive information on behalf of the approved impaired practitioner program using an “Impaired Practitioner Program Authorized User Appointment Form,” DH8022-PDMP, effective 7/2016, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>. Prior to appointment, each authorized user must review the “Training Guide for Impaired Practitioner Consultants,” DH8021-PDMP, effective 7/2016, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>. Certification of this review is required before registration can be completed. The authorized user must provide a printed copy of this certification to the Medical Director or Executive Director of the approved impaired practitioner program who shall maintain them for the duration of the appointment and make them available for examination upon request of the program manager. Approved authorized users will be notified by email and provided with instructions for requesting and receiving information through the secure E-FORCSE® web portal. Registration denials, stating the reason for the denial, will be emailed to the Medical Director or Executive Director.

(d) The Medical Director or Executive Director of the approved impaired practitioner consultant shall immediately notify the program manager or support staff by email of authorized user changes and verify the list of authorized users on or immediately prior to June 30 of each year.

(e) The person referred to or participating in the approved impaired practitioner program must provide written authorization for the approved impaired practitioner consultant to request and review any information relating to that person. The referred or participating person shall use the “Authorization for Impaired Practitioner Consultant Access,” Form DH8023-PDMP, effective 7/2016, incorporated by reference and available at <http://flrules.org/Gateway/reference.asp?No=Ref-#####>, to

provide this authorization. The impaired practitioner consultant or authorized user must upload the executed authorization form with the request for information from the E-FORCSE® database relating to the referred or participating person. Each access for a referred person requires a new authorization form. Authorizations for impaired practitioner program participants can be in effect no longer than the duration of the monitoring contract with the impaired practitioner program. If approved, the program manager will return the information on the referred or participating person to the impaired practitioner consultant or authorized user through the secure E-FORCSE® web portal. If denied, the program manager will notify the impaired practitioner consultant or authorized user with the reason for the denial.

(f) Impaired practitioner program consultants and authorized users may only query information relating to the referred or participating person who has given authorization to access the information, and not any prescriber or dispenser. An impaired practitioner program consultant may make a notation of the query in the impaired practitioner program file.

(g) Information in the E-FORCSE® database relating to referred and participating persons accessed by impaired practitioner consultants and authorized users is confidential and exempt and shall not be disclosed or transmitted to any other person, program or entity, including the Department. To prevent inadvertent disclosure, the information should not be included in the referred or participating person's impaired practitioner program file, downloaded or printed.

(6)(8) A patient or the legal guardian or designated health care surrogate of an incapacitated patient may request information from the program database to verify the accuracy of the database information by contacting the Prescription Drug Monitoring Program by mail at 4052 Bald Cypress Way, Bin #C-16, Tallahassee, FL 32399-3254, or by telephone at (850)245-4797. Requesters must complete form DH 2143, "Patient Information Request," effective 6/2016 ~~12/2010~~, incorporated —by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####00721>. The patient or other authorized person must make an appointment, appear in person at the program or department field office, and produce a valid government-issued identification, which includes a photograph, to review the requested information.

Rulemaking Authority, 893.055 FS. Law Implemented 893.055, 893.0551 FS. History—New 11-24-11, Amended 2-17-16, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rebecca R. Poston

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 18, 2016

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NOS.: RULE TITLES:

73A-3.002 Application Process

73A-3.003 Qualification Process

73A-3.004 Certification Decision Process

PURPOSE AND EFFECT: Chapter 73A-3 implements Section 288.1254, Florida Statutes, which sunset on July 1, 2016, with the provision that tax credits certified may be awarded and carried forward. The Department is seeking to repeal Rules 73A-3.002, .003, and .004, which pertain to the application, qualification, and certification process and are no longer necessary.

SUMMARY: The rules to be repealed are no longer necessary as the statute they implement is no longer in effect.

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.

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: 288.1254(8), FS.

LAW IMPLEMENTED: 288.1254(3), FS., 288.1254(4), 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 9, 2017; 9:30 a.m.

PLACE: Department of Economic Opportunity, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399, Conference Room 110, and by teleconference by calling 1-888-670-3525, Passcode: 9633615989, then #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: M. Linville Atkins, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)717-8528, Linville.atkins@deo.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

73A-3.002 Application Process.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History—New 12-30-10, Formerly 27M-5.002, Repealed _____.

73A-3.003 Qualification Process.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3), 288.1254(4) FS. History—New 12-30-10, Formerly 27M-5.00, Repealed _____.

73A-3.004 Certification Decision Process.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History—New 12-30-10, Formerly 27M-5.004, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
M. Linville Atkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cissy Proctor

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2016

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-46.001 Utilities Installation or Adjustment
 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. 218, November 8, 2016 issue of the Florida Administrative Register.

Changes were made to Rule 14-46.001, F.A.C. as follows:

14-46.001 Utilities Installation or Adjustment

- (1) No change.
- (2) Permits.

FDOT will issue permits for the construction, alteration, operation, relocation, removal, and maintenance of utilities upon the right of way in conformity with the FDOT *Utility Accommodation Manual* (UAM), 2017 edition incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07743>. Copies of the UAM are available from the FDOT Maps and Publications Office at 605 Suwannee Street, MS 12, Tallahassee, Florida 32399-0450, or the FDOT Utility Web Site: www.fdot.gov/programmanagement/utilities/. The following documents are hereby incorporated by reference and made a part of this rule:

(a) The Utility Permit, Rev. 12/14/16 ~~10/16~~, is incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07737> and available from www.fdot.gov/programmanagement/utilities/.

(b) Utility Work Schedule, Rev. 12/14/16 ~~10/16~~, incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07738> and available from www.fdot.gov/programmanagement/utilities/.

(c) Utility Work Estimate, Effective 12/14/16 ~~10/16~~, incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07739> and available from www.fdot.gov/programmanagement/utilities/.

(d) No change.

(e) No change.

(f) FDOT 2016 Design Standards, Indexes 546, 600, 601, 602, 603, 604, 605, 611, 612, 613, 615, 616, and 660, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06045> and 2016 Design Standard Index 625 incorporated herein _____ at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07740> and available from www.fdot.gov/programmanagement/utilities/.

(g) FDOT South Florida Rail Corridor Clearance Policy, Topic No. 000-725-003-j, effective 9/20/2007, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06031> and available from www.fdot.gov/programmanagement/utilities/.

(h) through (i) No change.

(j) 49 C.F.R. Part 192, Rev. 10/1/11 incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07741> and 49 CFR Part 195, Rev. 10/1/11 incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07742> and available from www.fdot.gov/programmanagement/utilities/.

Rulemaking Authority 334.044(2), 337.401, 337.405, FS. Law Implemented 337.401, 337.402, 337.403, 337.405, FS. History—New 5-13-70, Amended 8-10-78, 7-22-82, Formerly 14-46.01, Amended 7-5-90, 6-8-93, 10-15-96, 8-30-99, 11-10-05, 1-24-08, 1-30-11, _____.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-46.001 Utilities Installation or Adjustment
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 218, November 8, 2016 issue of the Florida Administrative Register.

To provide further detail on why legislative ratification is not required, the paragraph titled SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION is corrected to read: 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 implementation of the rule. A SERC has been prepared by the agency in response to Proposals for Lower Cost Regulatory Alternative presented by the Florida Electric Power Coordinating Group and Crown Castle NG East, LLC. The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the rule amendment will not have an adverse impact on economic growth, job creation or employment, private sector investment, or business competitiveness, and is not likely to increase regulatory costs. The agency has determined that the proposed rule(s) is not expected to require legislative ratification based on the statement of estimated regulatory costs. The Statement of Estimated Regulatory Cost is available on the Department’s website at www.fdot.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
 61C-1.005 Disciplinary Guidelines
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 235, December 6, 2016 issue of the Florida Administrative Register.

The following lines should be included in the Summary of Statement of Estimated Regulatory Costs:

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
 64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities
 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. 167, August 26, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee

and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities

- (1) No change
- (2) Electrology Facility Licensure.

(a) The owner of an electrology facility is required to obtain a license for the electrology facility. However, physicians licensed under Chapter 458 or 459, F.S., are not required to obtain an electrology facility license and electrologists employed by physicians licensed under Chapter 458 or 459, F.S., are not required to obtain an electrology facility license.

(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, entitled “State of Florida Application for Electrolysis Facility Licensure – New Facility or New Ownership” (revised ~~12-02-2016~~ ~~05-16-2016~~), which can be obtained

from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02754> or the Department at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256. The applicant must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee.

- (3)(a) through (3)(b) No change

(c) In addition to those specified in paragraph (3)(a), the requirements to be followed, and materials and equipment to be available at each electrology facility wherein laser or light-based equipment is used for hair removal, are listed below.

- 1. No change
- 2. For all electrologists using laser or light-based equipment in the facility, proof of having passed the Society for Clinical and Medical Hair Removal test for certification as a Certified Medical Electrologist, ~~or proof of having passed a substantially equivalent test for certifications as determined by the Council.~~

- 3. through 11. No change

- (4) No change

(5) Inspections. The Department shall inspect all electrology facilities in the following manner:

- (a) through (b) No change

(c) When an existing electrology facility adds a modality, either epilator or laser/light-based equipment, or switches from one of those modalities to the other, an inspection shall be conducted to determine whether the facility has properly registered equipment and the proper safety and sanitary equipment and materials. The electrology facility shall notify

the Department of the new modality by submitting to the Executive Director of the Electrolysis Council the form provided by the Council and approved and incorporated herein by the Board by reference as Form DH5008-MQA-09/2015, entitled "Application for Inspection for Adding or Switching to a New Electrology Modality" (revised 12-02-2016 effective 11-9-2015), which can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____ or <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/>, or the Department at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256. The facility must pass an inspection prior to implementing the new modality.

(6) Transfer of Ownership or Location of the Electrology Facility.

(a) No change

(b) An electrology facility license may be transferred from one location to another only upon approval by the Department which approval shall be granted upon compliance with all requirements set out below in subparagraphs 1. through 3. Only the licenses for electrology facilities which have passed inspection at the original location are eligible for transfer to another location. In order to begin practice at the new location, the electrology facility license holder must first perform all of the following procedures:

1. File a completed application for transfer prior to the date of the transfer on a forms prescribed by the Department, and approved and incorporated herein by reference by the Board as Form DH5018-MQA, entitled "State of Florida Application for Transfer of Electrolysis Facility Location" (revised 12-02-2016 05-16-2016), which can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-___ or the Department at the Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, which application must be processed by the Council office;

2. No change

3. No change

(7) No change

Rulemaking Authority 456.037, 478.43(1), (4), 478.51(3), (11) FS. Law Implemented 456.037, 456.0635, 478.43, 478.49, 478.51, 478.55 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03, 7-29-10, 6-19-13, 12-25-14, .

Changes to Forms DH-MQA 1213 and DH-MQA 5018 include:

The checklist Section A. reference to a sharps container is deleted.

The checklist Section C. deletes the phrase "or proof of having passed a test for an equivalent certification as approved by the Council"

The application Section 7. deletes all references to "or equivalent" regarding the CME certification requirement.

The Applicant Statement deletes "hereby affirm" and substitutes "further state" in reference to having read the laws and rules.

Changes to Form DH-MQA 5008 include:

The last sentence in the first paragraph of page one is modified to read: "This form is used to notify the Department that a new modality will be used at the facility so that it can schedule an inspection."

The entry "COMPLETE FACILITY NAME (as it should appear on license):" is modified to delete the parenthetical text.

The Applicant Statement deletes "hereby affirm" and substitutes "further state" in reference to having read the laws and rules.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses

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. 179, September 14, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses.

(1) During the license renewal period of each biennium, a postcard renewal reminder a postcard renewal reminder will be mailed by the Department to each licensee ~~by the Department~~ at the last address provided. Failure to receive any notification during this period does not relieve the licensee of responsibility of meeting the continuing education requirements. Renewal of the license will occur according to the procedures described in Rule 64B8-54.001, F.A.C. The licensee must retain such receipts, vouchers, certificates, or

other papers as may be necessary to document completion of the appropriate continuing education offerings for a period of not less than 4 years from the date the offering was taken. The Department will verify completion of all required continuing education hours through the licensee's continuing education tracking account at www.cebroke.com upon the licensee's application for renewal of licensure. Failure to document compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action pursuant to Section 478.52(1)(a), F.S.

(2) All licensees shall be awarded contact hours for attendance at all offerings that are approved by the Electrolysis Society of Florida (ESF), or the Electrolysis Association of Florida (EAF), or the American Electrology Association, or the Society ~~for~~ of Clinical and Medical Hair Removal, and all offerings from other states which are approved by the states' licensing agency or professional electrology organization, which offerings have been approved by the American Electrology Association, or the Society ~~for~~ of Clinical and Medical Hair Removal, or any college, ~~or~~ or university, or post-secondary institution ~~course~~ or course ~~approved pursuant to 64B8-53.001, F.A.C.,~~ taken and successfully completed for the first time by the licensee in a subject area relevant to electrolysis. The licensee shall provide verification upon request of the Department.

(3) through (7) No change.

Rulemaking Authority 478.43(1), (4), 478.50(2), (4)(a), (b) FS. Law Implemented 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (b) FS. History—New 6-1-93, Formerly 21M-77.003, 61F6-77.003, Amended 5-11-95, Formerly 59R-52.003, Amended 2-9-98, 2-16-99, 2-17-00, 9-21-00, 8-13-02, 4-26-09, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.004
 RULE TITLE: Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction
 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. 167, August 26, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee

and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction

The Electrolysis Council will approve laser and light-based hair removal or reduction continuing education training courses upon application if the following requirements are met:

(1) through (2) No change.

(3) The instructors of each laser and light-based hair removal course have one year of experience using laser or light-based devices for hair removal after having passed the Society for Clinical and Medical Hair Removal test for certification as a Certified Medical Electrologist, ~~or after having passed a substantially equivalent test for certification as determined by the Council.~~ Verifiable documentation of this experience must be submitted to the Council with the application.

Rulemaking Authority 456.025(7), 478.43(1), (4) FS. Law Implemented 456.025(7), 478.42(5), 478.43(3), (4), 478.50, 478.51 FS. History—New 10-3-00, Amended 12-24-01, 12-26-02, 8-17-04, 7-3-06, 2-18-09, 12-21-14, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: 64B8-53.001, 64B8-53.002, 64B8-53.003
 RULE TITLES: Requirements for Electrolysis Training Programs Approved by the Board, Curriculum Standards for Electrolysis Training Programs, Required Equipment for Electrolysis Training Programs

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 175, September 8, 2016 issue of the Florida Administrative Register.

The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification for Rule Chapter 64B8-53 is corrected to state the following:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in

the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. The SERC concludes that no adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate will occur within 5 years after the implementation of the rule.

The SERC concludes that the proposed rule is likely to have a positive impact on competitiveness for some businesses, but may have an adverse impact on others, but not in excess of \$1 million in the aggregate within 5 years of implementation of the proposed changes.

The SERC concludes that the proposed rule changes are not anticipated to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

The SERC concludes that nine (9) of the twenty-five (25) approved training programs surveyed in Spring 2015 did not offer the 30-hour laser and light-based hair removal training course, and those training schools will be required to comply with the rule.

The SERC concludes that there is no estimate of any significant cost to the agency as a result of the proposed rule changes.

The SERC concludes that training schools will incur additional costs associated with acquiring laser and related equipment and supplies; labor to develop, test and implement the laser portions of the curriculum; recruiting qualified laser instructors; or, developing and implementing training in laser for existing instructors. Costs will be less than \$5,000 for existing training schools with programs in both electrolysis and laser and light-based hair removal, and costs will be less than \$10,000 for existing training schools that currently provide only the traditional 320-hour electrolysis training program. Using the highest estimated cost, multiplied times the nine epilator-only schools that would likely incur the most expense to comply, the estimated one-time cost for this transition is \$90,000 in the aggregate within the next five years. Hence, the rule will not require ratification by the Legislature.

The SERC concludes that the proposed changes are anticipated to have an overall positive impact on the training schools, creating the advantage of a combined curriculum which will attract students interested in one or both modalities in order to enhance their marketability when seeking employment in a variety of beauty establishments. No alternatives that would reduce adverse impacts on small business have been identified.

The SERC further notes that in addition to the training outlined in Rule Chapter 64B8-53, F.A.C., passing an identified certification exam is required prior to use of laser and light-based hair removal and reduction devices by licensed electrologists.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

| | |
|-------------|---|
| RULE NOS.: | RULE TITLES: |
| 64B8-53.001 | Requirements for Electrolysis Training Programs Approved by the Board |
| 64B8-53.002 | Curriculum Standards for Electrolysis Training Programs |
| 64B8-53.003 | Required Equipment for Electrolysis 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. 175, September 8, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-53.001 General Requirements for Pre-licensure Electrolysis Training Programs

A pre-licensure electrolysis training program must demonstrate that it will comply with the following general requirements in order to be approved by the Council:

(1) through (3) No change.

(4) The content of the training program must meet the minimum curriculum standards set forth in section 64B8-53.002, F.A.C. The training program must provide the equipment listed in section 64B8-53.003, F.A.C. The training program shall be located in an electrology facility licensed under Rule 64B8-51.006, F.A.C. An electrolysis training program must meet the requirements for combining epilator, laser and light-based training contained by the rules in Chapter 64B8-53, F.A.C., no later than (Date one year from anticipated adoption). ~~within one year after all rules in chapter become effective. The content of the program must include the curriculum standards set forth in subsections 64B8-53.002(1) and (2), F.A.C. All curricula must harmonize with and not be contrary to the following statements:~~

(a) through (b) No change.

(5) Electrolysis training programs shall be strictly limited to training in permanent hair removal, laser or light-based hair reduction, or both and shall not include ~~extemporary procedures licensed by any other Florida Board. Waxing and treatment of spider veins are two examples of such extemporary procedures.~~ Only needle type epilators shall be used in electrolysis training programs.

(6) through (9) No change.

Rulemaking Authority 478.43(1)(4), 478.50(4)(b) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History—New 9-29-93, Formerly 61F6-78.001, Amended 6-19-96, Formerly 59R-53.001, Amended 11-13-97, 2-15-07, ____.

64B8-53.002 Curriculum Standards for Electrolysis Training Programs

In order to be approved by the Board, an electrolysis training program must meet the following curriculum standards:

(1) Academic instruction to be set out in school catalog.

Hours

(a) through (n) No change.

(2) Clinical Application

Hours

(a) through (g) No change.

(h) Client Assessment

15 40

(i) through (l) No change.

Rulemaking Authority 478.43(1), (4), 478.50(4)(b) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History—New 9-29-93, Formerly 61F6-78.002, 59R-53.002, Amended 11-13-97, .

64B8-53.003 Required Equipment for Electrolysis Training Programs

~~(1)~~ An electrolysis training program shall:

~~(1)(a)~~ Have a working U.S. FDA registered short wave epilator,

~~(2)(b)~~ Have a working U.S. FDA registered blend epilator, and

~~(3)(c)~~ Comply with the requirements of Rule 64B8-51.006(3), F.A.C.

(d) through (y) No change.

~~(z)~~ No change.

Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History—New 11-16-93, Formerly 61F6-78.003, 59R-53.003, Amended 11-13-97, 10-12-98, .

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-54.001
 RULE TITLE: Renewal of Electrologist License; Delinquent Renewal
 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. 179, September 14, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-54.001 Renewal of Electrologist License; Delinquent Renewal

(1) through (3) No change.

(4) In order to timely renew the licensure, the licensee shall apply and pay the biennial renewal fee online at www.flhealthsource.gov, or, mail the Department's renewal form prescribed in Rule 64B-9.001(1), F.A.C., with the required renewal fee, to the address indicated on the form. Renewal by either format must be submitted before the expiration date of the license. Renewal forms can be obtained from the Department through the licensee's secure online account at www.flhealthsource.gov, or, by calling the Electrolysis Council Office at (850)245-4373.

(5) Pursuant to Section 456.025(7), F.S., The Department has implemented an electronic continuing education tracking system, which is integrated into the licensure renewal system. Through this integrated system, each licensee's completion of the required continuing education hours is verified prior to renewal of the license. The Department will not complete a licensee's renewal until the required hours are verified. ~~Licensees may obtain more information regarding reporting and tracking of continuing education hours at <http://www.flhealthsource.gov/requirements>.~~

(6) through (9) No change.

Rulemaking Authority 456.036, 478.43(1), (4), 478.50 FS. Law Implemented ~~456.025(7)~~, 456.036, 478.50 FS. History—New 9-29-93, Formerly 61F6-79.001, 59R-54.001, Amended 2-10-98, .

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-55.002
 RULE TITLE: Citations
 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. 167, August 26, 2016 issue of the Florida Administrative Register.

64B8-55.002 Citations

(1) through (4) No change.

(5) The Board designates the following as electrology citations violations in laser or light-based hair removal. Failure to have:

(a) through (k) No change

(l) Proof of having passed the Society for Clinical and Medical Hair Removal test for violation \$500, certification as a Certified Medical Electrologist, or proof of having passed a substantially equivalent test for certification as determined by the Council, for all electrologists using laser or light-based equipment in the facility.

(64B8-56.002(2)(b), F.A.C.)

(6) through (7) No change.

Rulemaking Specific Authority 456.077(1), (2), 478.51(3) FS. Law Implemented 456.072(3), (4)(b), 456.077(1), (2), 478.51, 478.52 FS. History-New 11-16-93, Formerly 61F6-80.002, Amended 1-2-95, Formerly 59R-55.002, Amended 11-13-97, 10-12-98, 2-11-01, 2-20-02, 11-12-02, 7-16-03, 2-12-07, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices

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. 167, August 26, 2016 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a public meeting held December 2, 2016. The changes are as follows:

64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices

(1) No change.

(2) An electrologist may not use laser or light-based devices for hair removal or reduction unless they:

(a) No change

(b) Have passed the Society for Clinical and Medical Hair Removal test for certification as a Certified Medical Electrologist, or proof of having passed a substantially equivalent test for certification as determined by the Council;

(c) through (d) No change.

(3) through (6) No change.

Rulemaking Authority 458.331(1)(v), 478.43(1), (4) FS. Law Implemented 458.331(1)(v), 458.348(3), 478.42(5), 478.43(4) FS. History-New 9-12-01, Amended 2-28-02, 7-23-06, 3-12-08, 11-4-14, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on December 14, 2015, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Greens at Summertree

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 17-4236.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, Ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. R2016074-1

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 December 14, 2016, the Florida Department of Business and Professional

Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Eastpointe Country Club, Inc. located in Palm Beach Gardens. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 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: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Rd., Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On December 07, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from AMC Florida Inc. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 42/237 on December 08, 2016. The Order for this Petition was signed and approved on December 15, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to 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 wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also

ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwash sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@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-1.004 General Sanitation and Safety Requirements

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

On December 07, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Half Moon Empanadas at MIA LLC located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 42/237 on December 08, 2016. The Order for this Petition was signed and approved on December 15, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to 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 wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF FINANCIAL SERVICES
OIR – Insurance Regulation
RULE NO.: RULE TITLE:
69O-149.005 Reasonableness of Benefits in Relation to Premiums

NOTICE IS HEREBY GIVEN that on December 05, 2016, the Office of Insurance Regulation, received a petition for Variance from Fla. Admin. Code Ann. paragraph 69O-149.005(14)(b), from Humana Insurance Company and CompBenefits Company. The petition requests that the Office grant a variance from the multiple year rate guarantee or rating cap provision that may not exceed 24 months. Petitioner requests that the time frame be extended up to 48 months with respect to dental and vision coverage for group health insurance policies insuring groups of 51 or more persons. A copy of the Petition for Variance or Waiver may be obtained by contacting: Debra Seymour at Debra.Seymour@flor.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF HEALTH
Board of Massage Therapy
The Board of Massage Therapy announces a public meeting to which all persons are invited.
DATES AND TIMES: January 26, 2017, 9:00 a.m., ET; January 27, 2017, 9:00 a.m., ET
PLACE: Renaissance World Golf Village Resort, 500 South Legacy Trail St., Augustine, FL 32092.
GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board web site at <http://floridasmassagetherapy.gov/> for cancellations or changes to meeting dates or times.
A copy of the agenda may be obtained by contacting: William.Spooner@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 7 days before the workshop/meeting by contacting: William.Spooner@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of

the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
For more information, you may contact: William.Spooner@flhealth.gov.

DEPARTMENT OF HEALTH
Board of Osteopathic Medicine
The Board of Osteopathic Medicine announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, February 24, 2017, 9:00 a.m.
PLACE: Sheraton Suites, 555 NW 62nd Street, Ft. Lauderdale, FL 33309
GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.
A copy of the agenda may be obtained by contacting: Kama.Monroe@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 7 days before the workshop/meeting by contacting: Kama.Monroe@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
For more information, you may contact: Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH
Board of Psychology
The Board of Psychology announces a public meeting to which all persons are invited.
DATE AND TIME: January 20, 2017, 8:00 a.m. ET. or soon thereafter
PLACE: Sheraton Tampa East, 10221 Princess Palm Avenue, Tampa, FL 33610
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.
A copy of the agenda may be obtained by contacting: The Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: www.floridaspsychology.gov.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Health at (850)245-4444, ext.

3565. 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.

GRAYROBINSON, P.A.

The Executive Office of the Governor announces a hearing to which all persons are invited.

DATES AND TIMES: 1. January 18, 2017, 8:30 a.m., local time; 2. January 18, 2017, 1:00 p.m., local time; 3. January 19, 2017, 11:00 a.m., local time

PLACE: 1. Orlando City Hall, Veterans Conference Room, 2nd Floor, 400 South Orange Avenue, Orlando, Florida; 2. Old City Hall, 8th Floor Conference Room, 315 E. Kennedy Boulevard, Tampa, Florida; 3. The Capitol, Room 209, 400 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The hearings will be held with respect to (i) a plan by the Highlands County Health Facilities Authority (the "Highlands Authority") to issue its Revenue Bonds (Adventist Health System/Sunbelt Obligated Group) in an aggregate principal amount not to exceed \$4,010,000,000 with respect to facilities in Florida, in one or more series over the longest period permitted by law, (ii) a plan by the Orange County Health Facilities Authority to issue its Revenue Bonds (Adventist Health System/Sunbelt Obligated Group) in an aggregate principal amount not to exceed \$4,010,000,000 with respect to facilities in Florida, in one or more series over the longest period permitted by law, (iii) a plan by the Colorado Health Facilities Authority to issue its Revenue Bonds (Adventist Health System/Sunbelt Obligated Group) in an aggregate principal amount not to exceed \$4,010,000,000 with respect to facilities in Florida, in one or more series over the longest period permitted by law, (iv) a plan by the Kansas Development Finance Authority to issue its Revenue Bonds (Adventist Health System/Sunbelt Obligated Group) in an aggregate principal amount not to exceed \$4,010,000,000 with respect to facilities in Florida, in one or more series over the longest period permitted by law, and (v) a plan by the Highlands Authority to issue its Revenue Bonds (Adventist Health System/Sunbelt, Inc. Accounts Receivable Program) in an aggregate principal amount not to exceed \$4,010,000,000 with respect to facilities in Florida, in one or more series over the longest period permitted by law. The proceeds of the bonds issued under each of such plans (the "Bonds") will be used to (a) finance, refinance, or reimburse the costs of acquiring, constructing, renovating and equipping certain

health care facilities at the locations listed below, (b) provide one or more debt service reserve funds for the benefit of all or a portion of the Bonds, if deemed necessary or desirable, (c) pay a portion of the interest to accrue on the Bonds, if deemed necessary or desirable, (d) pay certain working capital expenditures, if deemed necessary or desirable, and (e) pay certain costs of issuance of the Bonds, including the costs of any credit or liquidity enhancement thereof, if deemed necessary or desirable.

The proceeds of the Bonds will be used to finance, refinance or reimburse the costs of acquiring, constructing, improving or renovating the facilities (including related land costs) listed below and the costs of acquiring and installing equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) to be used at the facilities listed below. The initial owner, operator or manager, a general functional description and the location of each such facility, and the estimated maximum aggregate principal amount of Bonds to be issued with respect to each such facility, are listed below.

A. Facilities owned, operated or managed by Adventist Health System/Sunbelt, Inc., a Florida not-for-profit corporation ("Sunbelt"):

1. Florida Hospital Orlando (including Florida Hospital For Women and Florida Hospital for Children located on campus), a 1289-bed acute care hospital located at 601 East Rollins Street, Orlando, Florida, and the related land, parking garages, office buildings, college of health science buildings, warehouses and other buildings located on the Florida Hospital Orlando hospital campus bordered generally by Wilkinson Street, Westchester Avenue and Evans Street on the north, Interstate 4 on the west, Princeton Street on the south and Mills Avenue (Highway 17-92) on the east (excluding 2201, 2800 and 2905 McRae Avenue, 600, 726 and 732 Wilkinson Street, 2916 Sanitarium Avenue, 2800, 2901, 2909 and 2921 N. Orange Avenue, and 710 Rollins Street, as well as the property encompassing Lockhaven Park and Art Center, the Orlando Science Center and the Orange County Historical Museum), which campus includes the following mailing addresses: 2212 and 2228 North Alden Street, 2200-2414 Bedford Road, 500 and 601 East Rollins Street, 525, 529 and 800 Lake Estelle Drive, 501 and 525 East King Street, 2905 Sanitarium Drive, 615 East Princeton Street, 2215-2305 McRae Avenue and 2201-2415 and 2501 North Orange Avenue; and, in addition, the properties located at 235 and 301 East Princeton Street, 2500, 2520, 2604 and 2608 North Orange Avenue, Orlando, Florida-----\$800,000,000;
2. Florida Hospital East Orlando, a 295-bed acute care hospital located at 7727 Lake Underhill Drive, Orlando, Florida-----\$150,000,000;

3. Florida Hospital Apopka, a 50-bed acute care hospital located at 201 North Park Avenue, Apopka, Florida----\$25,000,000;

4. The health care facilities located at the southwest corner of the intersection of Harmon Road and Ocoee Apopka Road, with a current address of 1901 Harmon Road Apopka, Florida, consisting of a 120-bed acute care hospital facility and related medical clinics and medical office buildings under construction which will be known as Florida Hospital Apopka----\$300,000,000;

5. Florida Hospital Altamonte, a 398-bed acute care hospital and related medical office buildings located at 601, 608, 661, 701 and 711 East Altamonte Drive and 201 Park Place, Altamonte Springs, Florida----\$200,000,000;

6. Florida Hospital Kissimmee, a 162-bed acute care hospital located at 2450 North Orange Blossom Trail, Kissimmee, Florida----\$100,000,000;

7. Florida Hospital Celebration Health, a 227-bed acute care hospital located at 400 Celebration Place, Celebration, Florida----\$200,000,000;

8. Winter Park Memorial Hospital, a 320-bed acute care hospital located at 200 North Lakemont Avenue, Winter Park, Florida----\$200,000,000;

9. A 97,000 square foot healthcare facility located at 2000 Fowler Grove Blvd, Winter Garden, Florida consisting of emergency services, imaging, laboratory, outpatient surgical services and a 12 bed observation unit as well as primary care and specialty physician offices, as well as the potential construction of a new acute care hospital located on this campus----\$250,000,000;

10. Florida Hospital Lake Placid, a 50-bed acute care hospital located at 1210 U.S. Highway 27 North, Lake Placid, Florida---\$15,000,000;

11. Florida Hospital Heartland Medical Center, a 147-bed acute care hospital located at 4200 Sun'N Lake Boulevard, Sebring, Florida----\$75,000,000;

12. Florida Hospital Wauchula, a 25-bed acute care hospital located at 533 West Carlton Street, Wauchula, Florida----\$10,000,000; and

13. New 25-bed acute care hospital and related facilities under construction at 735 South 5th Avenue, Wauchula, Florida----\$50,000,000.

B. Facility owned by Florida Hospital Waterman, Inc., a Florida not-for-profit corporation: Florida Hospital Waterman, a 269-bed acute care hospital, located at 1000 Waterman Way, Tavares, Florida----\$150,000,000.

C. Facility owned by Southwest Volusia Healthcare Corporation, a Florida not-for-profit corporation: Florida Hospital Fish Memorial, a 175-bed acute care hospital and outpatient medical center located at 1055 Saxon Boulevard, Orange City, Florida----\$250,000,000.

D. Facilities owned or to be owned, operated or managed by Memorial Health Systems, Inc., a Florida not-for-profit corporation:

1. Florida Hospital-Oceanside, an 80-bed acute care hospital located at 264 South Atlantic Avenue, Ormond Beach, Florida----\$10,000,000; and

2. Florida Hospital Memorial Medical Center, a 277-bed acute care hospital and related medical clinics, offices and ancillary facilities located at 301 Memorial Medical Parkway, Daytona Beach, Florida----\$125,000,000.

E. Facility owned, operated or managed by Memorial Hospital—Flagler, Inc., a Florida not-for-profit corporation: Memorial Hospital/Flagler, a 131-bed acute care hospital located at 60 Memorial Medical Parkway, Palm Coast, Florida----\$75,000,000.

F. Facility owned, operated or managed by Memorial Hospital—West Volusia, Inc., a Florida not-for-profit corporation: Florida Hospital/DeLand, a 164-bed acute care hospital located at 701 West Plymouth Avenue, DeLand, Florida----\$100,000,000.

G. Facility owned, operated or managed by Florida Hospital Zephyrhills, Inc., a Florida not-for-profit corporation: Florida Hospital Zephyrhills, a 140-bed acute care hospital located at 7050 Gall Boulevard, Zephyrhills, Florida----\$75,000,000.

H. Facilities owned or to be owned, operated or managed by University Community Hospital, Inc., a Florida not-for-profit corporation:

1. Florida Hospital Tampa, a 517-bed acute care hospital located at 3100 E Fletcher Avenue Tampa, Florida and the related land, parking garages, clinics and office buildings including the Pepin Heart Hospital located on the University Community Hospital Campus bordered generally by E. Fletcher Avenue on the south, Park Square West on the east, 31st Street on the west and 138th Avenue on the north, which campus includes the University Community Hospital Health Park located at 3102 E 138th Ave, Tampa, Florida----\$400,000,000;

2. Florida Hospital Carrollwood, a 120-bed acute care hospital located at 7171 N. Dale Mabry Highway, Tampa, Florida----\$125,000,000; and

3. Florida Hospital at Connerton, a 50-bed long term acute care facility located at 9441 Health Center Drive, Land O'Lakes, Florida----\$25,000,000.

I. Facilities owned, operated or managed by Pasco-Pinellas Hillsborough Community Health System, Inc., a Florida not-for-profit corporation: Florida Hospital Wesley Chapel, an 83-bed acute care hospital facility and related medical clinics and medical office buildings, located at 2600 Bruce B. Downs Boulevard, Wesley Chapel, Florida----\$200,000,000.

J. Facility owned, operated or managed by Southeast Volusia Healthcare Corporation, a Florida not-for-profit corporation:

Florida Hospital New Smyrna, a 112-bed acute care hospital facility and related medical clinics and medical office buildings located at 401 Palmetto Street, New Smyrna Beach, Florida-----\$100,000,000.

The public hearings are required by Section 147(f) of the Internal Revenue Code of 1986, as amended. At such public hearings there will be an opportunity for persons to express their views concerning the foregoing. Anyone may appear in person at such public hearings or submit written comments to be considered thereat.

Additional information concerning the public hearings may be obtained from, and written comments should be addressed to Peter Penrod, Assistant General Counsel, Office of Governor Rick Scott, State of Florida, The Capitol, Suite 209, Tallahassee, Florida, 32399-0001, Telephone: (850)717-9310.

In accordance with the Americans with Disabilities Act ("ADA"), if any person with a disability as defined by the ADA needs special accommodations to participate in the Tallahassee or Tampa public hearings, then (i) not later than two (2) business days prior to the public hearing in Tallahassee, Florida, he or she should contact Peter Penrod, Assistant General Counsel, at (850)717-9310, and (ii) not later than two (2) business days prior to the public hearing in Tampa, Florida, he or she should contact the Office of the City Clerk at 813-274-8396. With respect to the public hearing in Orlando, reasonable accommodations, including equal access to communications, will be provided upon request. Requests for reasonable accommodations, with regard to equal access to communications, should be directed to the City of Orlando ADA coordinator at 407-246.2057.

A copy of the agenda may be obtained by contacting: Peter Penrod, Assistant General Counsel, Office of Governor Rick Scott, State of Florida, The Capitol, Suite 209, Tallahassee, Florida, 32399-0001, Telephone: (850)717-9310.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Edward L. Green, In Re: Walden Woods Mobile Homeowners Association, Inc., Docket No. 2016056330, filed on December 8, 2016. The petition seeks the agency's opinion as to the

applicability of section 723.031, Florida Statutes, as it applies to the petitioner.

Whether a mobile homeowner is responsible for either the undergrowth or overgrowth of trees located on the community owners property/common ground and leased by the community owner that cause damage to private property and cut off underground utility supply lines, pursuant to section 723.031, Florida Statutes?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**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**

VILLAGE OF PALMETTO BAY

Village of Palmetto Bay

PUBLIC NOTICE

Village of Palmetto Bay

Notice of Unsolicited Proposal

Parking Improvements for Village of Palmetto Bay

Private Public Partnership (PPP) Ch. 287.05712, Florida
Statutes

No. 1617-03-001

NOTICE IS HEREBY GIVEN that the Village of Palmetto Bay, Florida, a Municipal corporation of the State of Florida, has received an unsolicited proposal for a qualifying public-private partnership (PPP) in accordance with Ch. 287.05712, Florida Statutes for a public garage (“the Project”) in the Palmetto Bay, Florida downtown area. The Village requests, and in accordance with Florida Statue HB-85, will accept alternative proposals for the Project until January 20, 2017. A mandatory meeting will take place at Municipal Hall located on 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157, on Monday, January 9th, 2016, at 10:00 a.m.

Persons or entities wishing to submit alternative proposals for the Project (“Proposers”) may do so by delivering sealed proposals to: Village of Palmetto Bay, Procurement Department, Attn: Litsy C. Pittser, 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157. Each sealed proposal submitted should be clearly marked on the outside: “Sealed Proposal – Parking Improvements for Village of Palmetto Bay.”

All proposals must be timely submitted no later than 3:00pm on January 20, 2017 and must contain the information and requirements set forth under Ch. 287.05712, Florida Statutes and the additional submission requirements required by the Village of Palmetto Bay, as provided below. Any proposal received after 3:00 pm on January 20th, 2017 will not be opened nor considered. Responsibility for submitting timely proposals rests solely with Proposers; the Village will not be responsible for any delays caused by mail, courier service or other occurrence.

Proposals will be ranked by order of preference by the Village. In ranking the proposals, the Village will consider factors in accordance with Ch. 287.05712, Florida Statutes that include but are not limited to, professional qualifications, innovative design and techniques, energy efficiency, cost reduction terms and finance plans. A more complete listing of the factors and requirements that the Village will consider can be obtained by proposers’ request via email to: Lpittser@palmettobay-fl.gov Litsy C. Pittser.

The Village reserves the right to reject any or all proposals, or as provided under Ch. 287.05712, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the firm whose proposal best serves the interest of the Village. Nothing contained herein shall be interpreted as an obligation or binding agreement by the Village regarding the Project.

The Village’s Cone of Silence shall be in effect during the procurement process in accordance with Section 2-138 of the Village of Palmetto Bay Code. All communications regarding the Project shall be addressed in writing via email to Lpittser@palmettobay-fl.gov; Litsy C. Pittser., Procurement Specialist.

All proposals received in response to this Notice will become the property of the Village of Palmetto Bay and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Division of Elections

Notice of Meeting of Presidential Electors

The Department of State announces the meeting of Florida’s 29 presidential electors to cast their votes for President and Vice President of the United States.

DATE AND TIME: December 19, 2016, 2:00 p.m.

PLACE: Florida Senate, The Capitol, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida’s presidential electors will meet to cast Florida’s 29 votes in the Electoral College for the offices of President and Vice President of the United States. Spectator seating is reserved for credentialed media and invited guests of the presidential electors.

For more information, you may contact: Jordan Jones, Assistant General Counsel, Department of State, at (850)245-6536 or Jordan.Jones@dos.myflorida.com. Media requests for credentials should be directed to Meredith Beatrice, Director

of Communications, at (850)245-6522 or Meredith.Beatrice@dos.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
CHARLOTTE COUNTY, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the Charlotte County project involving installation of wastewater force mains on Midway Boulevard and Spring Lake Boulevard is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$1,701,146. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967 or emailing to thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF HEALTH
Board of Nursing

Emergency Action

On December 15, 2016, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Vanessa Lee Shaw, R.N., License # RN 2939762. This Emergency Restriction 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 (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.

DEPARTMENT OF HEALTH
Board of Nursing

Emergency Action

On December 15, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Samantha Christie, a.k.a. Samantha Guthrie, C.N.A., Certificate # CNA 307259. 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 (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.

DEPARTMENT OF HEALTH
Board of Nursing

Emergency Action

On December 15, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Alicia Danielle Griffin, C.N.A., Certificate # CNA 294666. 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 (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.

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.