

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

NONE

**Section II**  
**Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.:           RULE TITLE:  
5J-25.009           DOCUMENTS INCORPORATED BY  
                          REFERENCE

PURPOSE AND EFFECT: The proposed rulemaking amends forms incorporated by reference. The form changes will streamline the application process and comply with a recent statutory change.

SUMMARY: The proposed rules update FDACS-06301, Statement of Exemption and FDACS-06302, Application for Agricultural Products Dealer License. These amendments will make the application process more efficient and ensure statutory compliance with ch. 2017-85, Laws of Florida and the dealers in agricultural products law.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update department forms for efficiency and statutory compliance. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 534.48, 570.07(23), 604.27 FS.

LAW IMPLEMENTED: 534.48, 601.66, 604.16, 604.18, 604.20, 604.21, 604.23, 604.33 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: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850)410-3800.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5J-25.009 Documents Incorporated By Reference.

The following documents are hereby incorporated by reference. Copies of these documents may be obtained from the Division of Consumer Services Agricultural Dealer’s Licenses at 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500 or online as indicated.

(1) No change.

(2) Statement of Exemption, FDACS-06301 (Rev. 12/17 05/17), <http://www.flrules.org/Gateway/reference.asp?No=Ref-08496>.

(3) Application for Agricultural Products Dealer License, FDACS-06302 (Rev. 12/17 03/17), <http://www.flrules.org/Gateway/reference.asp?No=Ref-08497>.

(4) through (6) No change.

Rulemaking Authority 534.48, 570.07(23), 604.27 FS. Law Implemented 534.48, 601.66, 604.16, 604.18, 604.20, 604.21, 604.23, 604.33 FS. History—New 8-15-11, Formerly 5H-1.009, Amended 8-17-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 18, 2017

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: RULE TITLE:

64B19-17.002 Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of the rule amendment is to clarify disciplinary guidelines.

SUMMARY: To clarify disciplinary guidelines.

**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: 456.079, 490.004(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 490.009 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

Substantial rewording of Rule 64B19.17.002 follows. See Florida Administrative Code for present text.

64B19-17.002 Disciplinary Guidelines.

(1) When the Board finds that an applicant or a licensee has committed any of the acts set forth in Section 456.072(1) or 490.009(2), F.S., it shall issue a final order imposing one or more of the penalties listed in Section 456.072(2), F.S., as recommended in the following disciplinary guidelines. The descriptions of violations are only a summary; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. The guidelines are presented as a range of penalties that may be imposed.

<u>VIOLATION</u>	<u>FIRST OFFENSE</u>	<u>SUBSEQUENT OFFENSE(S)</u>
<p>(a) <u>Attempting to obtain, _____ or renewing a license by bribery or fraudulent misrepresentation, or through an error of the board or department.</u> (Sections 490.009(1)(a) and 456.072(1)(h), F.S.)</p> <p><u>If fraud or fraudulent misrepresentation.</u></p>	<p><u>Denial of licensure or probation for 2 years, and \$5,000 fine.</u></p> <p><u>\$10,000 fine.</u></p>	<p><u>Revocation or permanent denial of licensure, and \$10,000 fine.</u></p>
<p>(b) <u>License disciplined by another jurisdiction.</u> (Sections 490.009(1)(b) and 456.072(1)(f), F.S.)</p>	<p><u>Imposition of discipline that would have been imposed had the violation occurred in Florida and fine of \$1,000 to \$5,000.</u></p>	<p><u>Revocation and a \$10,000 fine.</u></p>
<p>(c) <u>Criminal conviction relating to psychology.</u> (Sections 490.009(1)(c) and 456.072(1)(c),</p>	<p><u>Suspension and fine of \$5,000 to \$10,000.</u></p>	<p><u>Revocation and \$10,000 fine.</u></p>

F.S.)		
(d) <u>False, deceptive or misleading advertising.</u> (Sections 490.009(1)(d) and 456.072(1)(m), F.S.)  If <u>fraud or fraudulent misrepresentation.</u>	<u>Reprimand and/or probation or suspension, and \$1,000 to \$5,000 fine.</u>  <u>Suspension and \$10,000 fine.</u>	<u>Suspension or revocation and \$10,000 fine.</u>
(e) <u>Advertising, practicing, or attempting to practice under another name.</u> (Section 490.009(1)(t), F.S.)	<u>Reprimand or probation and \$1,000 to \$5,000 fine.</u>	<u>Suspension or revocation and \$10,000 fine.</u>
(f) <u>Maintaining a wrongful professional association.</u> (Section 490.009(1)(f), F.S.)	<u>Reprimand or probation and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$10,000 fine.</u>
(g) <u>Knowingly aiding, assisting, procuring, or advising a non-licensed person.</u> (Sections 490.009(1)(g) and 456.072(1)(j), F.S.)	<u>Reprimand or probation, and \$1,000 to \$5,000.</u>	<u>Suspension or revocation and \$10,000 fine.</u>
(h) <u>Failing to perform any statutory or legal obligation.</u> (Sections 490.009(1)(h) and 456.072(1)(k),	<u>Reprimand or probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension or Revocation and \$10,000 fine.</u>

F.S.)		
(i) <u>Willingly making or filing a false report, etc.</u> (Sections 409.009(1)(i) and 456.072(1)(l), F.S.)	<u>Reprimand or probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension or revocation and \$10,000 fine.</u>
(j) <u>Paying or receiving a kickback, etc.</u> (Section 490.009(1)(j), F.S.)	<u>A refund of the fees paid by or on behalf of the patient, and/or suspension, to be followed by a period of probation, and \$1,000 to \$5,000 fine.</u>	<u>A refund of the fees paid by or on behalf of the patient and a two year suspension followed by a period of probation to revocation and \$10,000 fine.</u>
(k) <u>Sexual misconduct or battery on a patient.</u> (Section 490.009(1)(k), and 456.072(1)(v), F.S.)	<u>Suspension followed by probation to revocation, and fine from \$5,000 to \$10,000.</u>	<u>Revocation and \$10,000 fine.</u>
(l) <u>Making misleading, deceptive, untrue, or fraudulent representations, etc.</u> (Sections 409.009(1)(l) and 456.072(1)(m), F.S.)  If <u>fraud or fraudulent misrepresentations</u>	<u>Suspension or probation, and \$5,000 fine.</u>  <u>Suspension and \$10,000 fine.</u>	<u>Revocation and \$10,000 fine.</u>

<p>(m) <u>Soliciting through fraud, intimidation, undue influence, etc.</u> (Section <u>490.009(1)(m)</u>, F.S.)  If <u>fraud or fraudulent misrepresentations</u></p>	<p><u>Reprimand and/or suspension, and \$1,000 to \$5,000 fine.</u>  <u>Suspension and \$1,000 fine.</u></p>	<p><u>Revocation and \$10,000 fine.</u></p>	<p><u>456, F.S., or any rules pursuant thereto.</u> (Sections <u>490.009(1)(w)</u>, <u>456.072(1)(b)</u> and <u>456.072(1)(dd)</u>, F.S.)</p>	<p><u>and \$1,000 to \$5,000 fine.</u></p>	<p><u>\$10,000 fine.</u></p>
<p>(n) <u>Failing to provide records, etc.</u> (Section <u>490.009(1)(n)</u>, F.S.)</p>	<p><u>Reprimand to suspension, and \$1,000 to \$5,000 fine.</u></p>	<p><u>Reprimand and/or suspension to revocation, and \$10,000 fine.</u></p>	<p>(r) <u>Experimentation without informed consent.</u> (Section <u>490.009(1)(q)</u>, F.S.)</p>	<p><u>Reprimand and/or suspension, and \$1,000 to \$5,000 fine.</u></p>	<p><u>Suspension and/or revocation and \$5,000 to \$10,000 fine.</u></p>
<p>(o) <u>Failing to respond to Department within 30 days, etc.</u> (Section <u>490.009(1)(o)</u>, F.S.)</p>	<p><u>Suspension until compliance and a fine from \$1,000 to \$5,000.</u></p>	<p><u>Suspension until compliance to revocation, and \$10,000 fine.</u></p>	<p>(s) <u>Negligence.</u> (Section <u>490.009(1)(r)</u>, F.S.)</p>	<p><u>Reprimand or suspension, and \$1,000 fine.</u></p>	<p><u>Revocation and \$5,000 to \$10,000 fine.</u></p>
<p>(p) <u>Incompetence (mental or physical impairment), etc.</u> (Section <u>490.009(1)(p)</u>, and <u>456.072(1)(z)</u>, F.S.)</p>	<p><u>Indefinite suspension until licensee is able to demonstrate ability to practice with reasonable skill and safety followed by probation, and \$1,000 to \$5,000 fine.</u></p>	<p><u>Revocation and \$10,000 fine.</u></p>	<p>(t) <u>Delegating professional responsibilities.</u> (Sections <u>490.009(1)(s)</u> and <u>456.072(1)(p)</u>, F.S.)</p>	<p><u>Reprimand or suspension, and \$1,000 to \$5,000 fine.</u></p>	<p><u>Suspension or revocation and \$5,000 to \$10,000 fine.</u></p>
<p>(q) <u>Violating provisions of Chapter 490 or</u></p>	<p><u>Reprimand and/or suspension,</u></p>	<p><u>Suspension or revocation and \$5,000 to</u></p>	<p>(u) <u>Violating any lawful order.</u> (Sections <u>490.009(1)(t)</u> and <u>456.072(1)(q)</u>, F.S.)</p>	<p><u>Reprimand or suspension until compliance, and \$1,000 to \$5,000 fine.</u></p>	<p><u>Suspension or revocation, and \$1,000 to \$5,000 fine.</u></p>
<p>(v) <u>Failing to maintain confidence.</u> (Section <u>490.009(1)(u)</u>, F.S.)</p>	<p><u>Reprimand and fine from \$1,000 to \$5,000.</u></p>	<p><u>Suspension or revocation and \$5,000 to \$10,000 fine.</u></p>	<p>(w) <u>Identifying or damaging research clients.</u> (Section <u>490.009(1)(v)</u>,</p>	<p><u>Reprimand or suspension, and \$1,000 to \$5,000</u></p>	<p><u>Suspension to revocation and a \$5,000 to \$10,000 fine.</u></p>

<u>F.S.)</u>	<u>fine.</u>	
<u>(x) Failure to comply with continuing education for domestic violence. (Section 456.072(1)(s), F.S)</u>	<u>\$500 fine and suspension until compliance</u>	<u>Reprimand, and/or suspension until compliance, and \$1,000 fine.</u>
<u>(y) Exercising influence on the patient or client for financial gain. (Section 456.072(1)(n), F.S.)</u>	<u>Suspension, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$5,000 to \$10,000 fine.</u>
<u>(z) Improperly interfering with an investigation. (Section 456.072(1)(r), F.S.)</u>	<u>Suspension, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$5,000 to \$10,000 fine.</u>
<u>(aa) Performing or attempting to perform wrong health care services. (Section 456.072(1)(bb), F.S.)</u>	<u>Reprimand and/or suspension, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$10,000 fine.</u>
<u>(bb) Termination from impaired practitioner treatment program. (Section 456.072(1)(hh), F.S.)</u>	<u>Indefinite suspension until licensee is able to demonstrate ability to practice with reasonable skill and safety, followed by probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$5,000 to \$10,000 fine.</u>

<u>(cc) Failure to identify through written notice, or orally to a patient the type of license under which the practitioner is practicing. Any advertisement for health care services naming the practitioner must identify the type of license the practitioner holds. (Section 456.072(1)(e), F.S.)</u>	<u>Reprimand and/or probation, and \$1,000 to \$5,000 fine.</u>	<u>Revocation and \$10,000 fine.</u>
<u>(dd) Failure to report another licensee in violation. (Section 456.072(1)(i), F.S.)</u>	<u>Reprimand and/or probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension or revocation and \$10,000 fine.</u>
<u>(ee) Practicing beyond scope permitted. (Section 456.072(1)(o), F.S.)</u>	<u>Suspension to revocation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation and \$5,000 to \$10,000 fine.</u>
<u>(ff) Failing to report to the Board within thirty (30) days after the licensee has been convicted of a crime in any jurisdiction. (Section 456.072(1)(x), F.S.)</u>	<u>Reprimand and/or probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation of license, and suspension or revocation, and \$10,000 fine.</u>
<u>(gg) Being convicted of, or entering a plea of guilty or nolo contendere to, any</u>	<u>Probation or revocation and \$10,000</u>	<u>Revocation and \$10,000 fine.</u>

<u>misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program. (Section 456.072(1)(ii), F.S.)</u>	<u>fine.</u>	
<u>(hh) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement. (Section 456.072(1)(jj), F.S.)</u>	<u>Reprimand and/or suspension to probation, and \$1,000 to \$5,000 fine.</u>	<u>Suspension to revocation, and \$5,000 to \$10,000 fine.</u>
<u>(ii) Being terminated from the state Medicaid program, or any other state Medicaid program, or the federal Medicare program. (Section 456.072(1)(kk), F.S.)</u>	<u>Suspension to revocation, and \$1,000 to \$5,000 fine.</u>	<u>Revocation and \$5,000 to \$10,000 fine.</u>
<u>(jj) Being convicted of, or entering into a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication,</u>	<u>Revocation and fine of \$10,000.</u>	<u>Revocation and fine of \$10,000.</u>

<u>which relates to health care fraud. (Section 456.072(1)(ll), F.S.)</u>		
<u>(kk) Willfully failing to comply with Section 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice. (Section 456.072(1)(oo), F.S.)</u>	<u>Suspension and \$1,000 to \$5,000 fine.</u>	<u>Revocation.</u>

(2) Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating circumstances the following:

- (a) The danger to the public;
- (b) The length of time since the date of violation;
- (c) The number of complaints filed against the licensee;
- (d) The length of time the licensee has practiced without complaint or violations;
- (e) The actual damage, physical or otherwise, to the patient;
- (f) The deterrent effect of the penalty imposed;
- (g) The effect of the penalty upon the licensee's livelihood;
- (h) Any efforts the licensee has made toward rehabilitation;
- (i) The actual knowledge of the licensee pertaining to the violation;
- (j) Attempts by the licensee to correct or stop violations or refusal by the licensee to correct or stop violations;
- (k) Related violations found against the licensee in another state including findings of guilt or innocence, penalties imposed and penalties served;
- (l) Any other mitigating or aggravating circumstances that are particular to that licensee or to the situation so long as the aggravating or mitigating circumstances are articulated in the Board's final order.

(3) The provisions of this rule shall not be construed to prohibit civil action or criminal prosecution as provided by law. Nor may the provisions of this rule be construed to limit the ability of the Board to enter into binding stipulations as per Section 120.57(4), F.S.

Rulemaking Authority 456.079, 490.004(4) FS. Law Implemented 456.072, 456.079, 490.009 FS. History—New 11-24-86, Amended 7-18-88, 4-26-93, Formerly 21U-18.003, Amended 6-14-94, Formerly 61F13-18.003, Amended 1-9-96, Formerly 59AA-17.002, Amended 9-18-97, 9-26-01, 3-25-02, 4-3-05, 1-2-06, 12-31-06, 2-18-10, 6-21-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Psychology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 28, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 21, 2017

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker’s Compensation**

RULE NO.: RULE TITLE:  
69L-7.100 Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 191, September 30, 2016 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker’s Compensation**

RULE NO.: RULE TITLE:  
69L-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 191, September 30, 2016 issue of the Florida Administrative Register has been withdrawn.

**Section IV**  
**Emergency Rules**

**NONE**

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

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

The Department of Management Services hereby gives notice: On December 1, 2017, the Department issued an Order. The Order was in response to a Petition for Waiver of paragraph 60H-1.017(1)(a), filed by the Department of Management Services, Division of Retirement, on November 15, 2017. Notice of the Petition was published in the Florida Administrative Register on November 16, 2017 in Vol. 43, No. 222. The Order on the Petition grants a waiver of paragraph 60H-1.017(1)(a), F.A.C., which requires the agency to have one unsuccessful competitive procurement of existing space pursuant to Rule 60H-1.015, F.A.C., before conducting a procurement for a build-to-suit or Turnkey Lease. Petitioner demonstrated that it would suffer a substantial financial hardship in the form of substantial costs if required to comply with this rule and that granting the waiver would achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting: Diane Wint, Agency Clerk at [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com), 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

The Department of Management Services hereby gives notice: On December 5, 2017, the Department issued an Order. The Order was in response to a Petition for Waiver of paragraph 60H-1.017(1)(a), F.A.C., filed by the Department of State, Division of Corporations, on November 17, 2017. Notice of the Petition was published in the Florida Administrative Register on November 20, 2017 in Vol. 43, No. 224. The Order on the Petition grants a waiver of paragraph 60H-1.017(1)(a), F.A.C., which requires the agency to have one unsuccessful competitive procurement of existing space pursuant to Rule 60H-1.015,

F.A.C., before conducting a procurement for a build-to-suit or Turnkey Lease. Petitioner demonstrated that it would suffer a substantial financial hardship in the form of substantial costs if required to comply with this rule and that granting the waiver would achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting: Diane Wint, Agency Clerk at [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com), 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

The Department of Management Services hereby gives notice: On December 4, 2017, the Department issued an Order. The Order was in response to a Petition for Waiver of paragraphs 60H-1.017(1)(a), filed by the Florida Fish and Wildlife Conservation Commission on November 16, 2017. Notice of the Petition was published in the Florida Administrative Register on November 17, 2017 in Vol. 43, No. 223. The Order on the Petition grants a waiver of paragraphs 60H-1.017(1)(a), F.A.C., which requires the commission to have one unsuccessful competitive procurement of existing space pursuant to Rule 60H-1.015, F.A.C., before conducting a procurement for a build-to-suit or Turnkey Lease. Petitioner demonstrated that it would suffer a substantial financial hardship in the form of substantial costs if required to comply with this rule and that granting the waiver would achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting: Diane Wint, Agency Clerk at [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com), 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

NOTICE IS HEREBY GIVEN that on December 06, 2017, the Department of Management Services, received a petition for the waiver of paragraph 60H-1.017(1)(a), F.A.C., from the Florida Department of Health. Paragraph 60H-1.017(1)(a), F.A.C., requires an agency to conduct one unsuccessful competitive procurement for existing space before then issuing another procurement for Turnkey Lease space.

A copy of the Petition for Variance or Waiver may be obtained

by contacting: Diane Wint, Agency Clerk at 4050 Esplanade Way, Suite 160, Tallahassee, FL 323299 or [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com).

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.021 Additional Education Requirements for Reexamination

NOTICE IS HEREBY GIVEN that on December 5, 2017, the Board of Dentistry received a petition for variance of waiver filed by Edwin A. Bayo, Esquire, on behalf of Jose Montero-Nieto, D.D.S., seeking a variance or waiver of subsection 64B5-2.021(1), Florida Administrative Code, which requires that any applicant who has failed to pass the clinical examination in three attempts shall not be eligible for reexamination until he or she completes a one year general practice residency, advanced education general dentistry residency, or pedodontic residency or a minimum of one academic year of undergraduate clinical coursework in dentistry at a dental school approved by the American Dental Association's Commission on Dental Accreditation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Wenhold, Executive Director, at the above address or telephone (850)245-4474. Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-15.002 Sites - Mobile Home, Lodging, and Recreational Vehicle Parks

The Department of Health hereby gives notice:

On November 21, 2017, the Department of Health issued an order in response to a petition for a variance filed on April 17, 2017, by Johanne D. Cavazza, representing Westwood MHP, regarding the "Mobile Home Park". Petitioner sought a variance from Rule 64E-15.002(4)(2) (a. and b.), Florida Administrative Code, which requires each single section mobile home space shall contain a minimum of 2400 square feet with a 35 foot wide. In addition, spaces utilized for a doublewide mobile home shall contain no less than 3500 square feet with a minimum 50-foot width. Notice of the petition was published in the May 4, 2017, edition of the Florida Administrative Register.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would violate



principles of fairness in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of section 120.542(2), Florida Statutes, the Department GRANTED W CONDITIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Aquaculture

The Florida Aquaculture Review Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 30, 2018, 9:00 a.m.

PLACE: 600 S. Calhoun St, Holland Bldg., Ste. 217, Tallahassee, FL 32399, (850)617-7600; the meeting can also be accessed as a teleconference by dialing 1(888)670-3525 and entering participant code 4457172323#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in the state of Florida.

A copy of the agenda may be obtained by contacting Charlie Culpepper, Biological Administrator, (850)617-7600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Charlie Culpepper, Biological Administrator, (850)617-7600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### DEPARTMENT OF LAW ENFORCEMENT

##### Division of Local Law Enforcement Assistance

The Florida Department of Law Enforcement announces a Florida Law Enforcement Officers' Hall of Fame Selection Committee public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 4, 2018, 9:30 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Room B1055, Tallahassee, FL, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nominations for consideration for induction into the Florida Law Enforcement Officers' Hall of Fame for 2018 pursuant to Rule 11D-10.003, F.A.C. If a person decides to appeal any decision made by the Selection Committee with respect to any matter considered at this meeting, such person is responsible for

ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Vickie Koenig, Chief of Policy and Special Programs, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, FL, 32302, (850)410-8600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vickie Koenig, Chief of Policy and Special Programs, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, FL, 32302, (850)410-8600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2, announces a hearing to which all persons are invited.

DATE AND TIME: December 14, 2017, 4:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, FL 32204

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 213326-2, otherwise known as I-10 (SR-8) from I-295 to I-95 in Duval County, Florida. The Florida Department of Transportation (FDOT) is currently conducting a Project Development and Environment (PD&E) Study to evaluate the proposed widening of I-10 from I-295 east to I-95, approximately 5 miles in Duval County, Florida. This segment of I-10 experiences peak period congestions due to demand that exceeds capacity. With expectations of continued traffic congestion, this PD&E study is evaluating the need for additional travel lanes to provide capacity improvements and congestion relief. The purpose of the public hearing is to provide information on the study's findings, discuss the recommended alternative and once again receive your input. As of November 21, 2017, project information will be available for review at the Murray Hill Library, 918 Edgewood Avenue S., Jacksonville, FL 32205 and the FDOT Urban Office, 2198 Edison Avenue, Jacksonville, FL 32204. Persons wishing to submit written comments may do so at the hearing or mail/email them to the address provided, no later than December 27, 2017. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status. The environmental review,

consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting Stephen Browning, P.E. District 2 Planning & Environmental Engineer, Florida Department of Transportation, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, Stephen.browning@dot.state.fl.us, (386)961-7455 or 1(800)749-2967, extension 7455.

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: Mr. Stephen Browning, P.E. District 2 Planning & Environmental Engineer, Florida Department of Transportation, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, Stephen.browning@dot.state.fl.us, (386)961-7455 or 1(800)749-2967, extension 7455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

The Electrical Contractors' Licensing Board announces public meetings to which all persons are invited.

**DATES AND TIMES:** Wednesday, January 24, 2018, 4:00 p.m.; Thursday, January 25, 2018, 8:30 a.m.; Friday, January 26, 2018, 8:30 a.m.

**PLACE:** Residence Inn Amelia Island, 2301 Sadler Rd., Fernandina Beach, FL 32034

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Wednesday, January 24, 2018, 4:00 p.m.: Probable Cause Panel (Portions may be closed to the public); Thursday, January 25, 2018, 8:30 a.m.: Discipline and General Business; Friday, January 26, 2018, 8:30 a.m.: General Business.

A copy of the agenda may be obtained by contacting: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency

using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

**DEPARTMENT OF HEALTH**

**Division of Emergency Preparedness and Community Support**  
The Florida Department of Health/PIER Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, February 27, 2018, 10:00 a.m. – 11:00 a.m., ET; subsequent conference call meetings will be held the fourth Tuesday of even months

**PLACE:** Meeting link: <https://www.gotomeet.me/EMSAC-PIER>; one may also dial in by phone: United States (toll-free), 1(866)899-4679; United States, +1(224)501-3318; access code 387-120-573

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** EMS State Plan, Goals and Objectives.

A copy of the agenda may be obtained by contacting: Kimberly Moore, (850)558-9543, Kimberly.Moore@flhealth.gov.

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: Kimberly Moore, Health Service Manager, (850)558-9543, Kimberly.Moore@flhealth.gov.

**DEPARTMENT OF FINANCIAL SERVICES**

The Department of Financial Services announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 14, 2017; 1:00 p.m. – 3:00 p.m., Eastern Time

**PLACE:** Department of Financial Services Division of Investigative and Forensic Services; telephone conference phone number 1(850)413-1158, conference ID 331038

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Division of Investigative and Forensic Services, Bureau of Insurance Fraud, will meet to discuss the status of applicants for the Anti-Fraud Reward Program based on Florida Statutes 626.9892 Anti-Fraud Reward Program, 69D-1.002 Application Process, 69D-1.003 Review Process and Reward Criteria, and 69D-1.004 Reward Disbursements.

A copy of the agenda may be obtained by contacting: Jessica Allard at (850)410-4065 or Jessica.Allard@myfloridacfo.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jessica Allard at (850)410-4065 or Jessica.Allard@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Jessica.Allard@myfloridacfo.com. If you have any questions or would like to submit public comment regarding the Anti-Fraud Reward Program, please email Jessica.Allard@myfloridacfo.com.

**FLORIDA DEVELOPMENT FINANCE CORPORATION**  
 The Florida Resiliency and Energy District announces a public meeting to which all persons are invited.  
**DATE AND TIME:** Thursday, December 14, 2017, 11:00 a.m. – 12:00 Noon  
**PLACE:** Florida Development Finance Corporation (FDFC), 800 N. Magnolia Avenue, Suite 1100, Orlando, FL 32803  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The following will be discussed at this this meeting:  
 • Approval of Meeting Minutes from August 17, 2017  
 • Ratification of New Members  
 • Other Business  
 A copy of the agenda may be obtained by contacting Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688. 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 Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688.

**FLORIDA DEVELOPMENT FINANCE CORPORATION**  
 The Florida Resiliency and Energy District announces a hearing to which all persons are invited.  
**DATE AND TIME:** Thursday, December 14, 2017, 11:15 a.m. – 11:25 a.m.  
**PLACE:** Florida Development Finance Corporation (FDFC), 800 N. Magnolia Avenue, Suite 1100, Orlando, FL 32803  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The following will be discussed at this public hearing:  
 • Resolution No. F17-03 – Consider adoption of Notice of Intent Resolution relating to collection of special assessments on 2018 ad valorem tax bill  
 A copy of the agenda may be obtained by contacting: Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688. 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: Ahisha Moyet, FDFC PACE Coordinator, (407)956-5688.

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**  
**NOTICE IS HEREBY GIVEN** that Department of Highway Safety and Motor Vehicles has received the petition for declaratory statement from Scott Randolph, in his capacity as the Orange County Tax Collector, on December 4, 2017. The petition seeks the agency's opinion as to the applicability of Section 322.02, Fla. Stat., and Section 322.135, Fla. Stat. as they apply to the petitioner.  
 The petition seeks the agency's opinion as to the applicability

of said Statutes to the Petitioner as an elected charter county Tax Collector. Motions for leave to intervene pursuant to Rule 28-105.0027, F.A.C. must be filed within 21 days of the date of publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joseph R. Gillespie, Agency Clerk, 2900 Apalachee Parkway, Room A-432, Tallahassee, Florida 32399, AgencyClerk@flhsmv.gov, (850)617-3101.

**DEPARTMENT OF HEALTH**

Board of Respiratory Care

NOTICE IS HEREBY GIVEN that the Board of Respiratory Care has received the petition for declaratory statement from St. Joseph’s Hospital, Inc. The petition seeks the agency's opinion as to the applicability of 468.352(10)(e), F.S., as it applies to the petitioner.

The Petition, filed on December 1, 2017, seeks a declaratory statement regarding the scope of practice for respiratory therapists. Petitioner cites 468.352(10)(e), F.S., within the Respiratory Therapy Practice Act. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3257, Allen.Hall@flhealth.gov.

**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**

NONE

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday, November 30, 2017 and 3:00 p.m., Wednesday, December 6, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
53ER17-74	11/30/2017	11/30/2017
53ER17-75	11/30/2017	11/30/2017
53ER17-76	11/30/2017	11/30/2017
53ER17-77	11/30/2017	11/30/2017
59G-4.250	12/4/2017	12/24/2017
61G5-24.019	12/4/2017	12/24/2017
61J2-1.015	12/6/2017	12/26/2017
61J2-2.031	12/6/2017	12/26/2017
61J2-3.012	12/4/2017	12/24/2017
61J2-17.009	12/6/2017	12/26/2017
61J2-20.049	12/4/2017	12/24/2017

61J2-20.052	12/4/2017	12/24/2017
65C-14.117	12/4/2017	12/24/2017
65C-14.118	12/4/2017	12/24/2017
65C-29.003	12/4/2017	12/24/2017
65C-30.018	12/4/2017	12/24/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:

61A-3.017 Management, Operation and Responsibility Licensed Premises

Notice of Rescission of Both Notices of Hearing Published on 11/29/17 in the 43/229 Publication of the FAR

The Notices of Hearing published in the Volume 43, Number 229 publication of the Florida Administrative Register on November 29, 2017 are hereby rescinded. Please refer to the original Notice of Hearing published on November 16, 2017 in the Volume 43, Number 222 of the Florida Administrative Register for the hearing regarding Rule 61A-3.017, F.A.C., Management, Operation and Responsibility Licensed Premises, scheduled for December 11, 2017.

Please contact: Daniel McGinn at 2601 Blair Stone Road, Suite C310, Tallahassee, FL 32399;(850) 717-1588; or daniel.mcgin@myfloridalicense.com, with any additional questions.

**DEPARTMENT OF HEALTH**

Emergency Action

On December 6, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of William J. Litsch, P.M.D., License # PMD 16223. 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 (2017). 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 Medicine

Emergency Action

On December 6, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Rasan Mohammad Tarabein, M.D., License # ME 77085. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jeremiah Joseph Lykowski, R.N., License # RN 9347568. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Nancie Laventure, C.N.A., Certificate # CNA 318794. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Tracy Dee Lane, R.N., License # RN 9263645. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Carmen Michelle Walker, C.N.A., Certificate # CNA 116288. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Anthony Vincent Powell, L.P.N., License # PN 5191204. 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 (2017). 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 6, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Kyle F. Hebert, R.N., License # RN 9444580. 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 (2017). 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 Pharmacy

Emergency Action

On December 6, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michelle Renae Green, R.Ph., License No. # PS 35074. 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 (2017). 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 FINANCIAL SERVICES

Division of Rehabilitation and Liquidation

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS**

**HAVING BUSINESS WITH GUARANTEE INSURANCE COMPANY**

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA**

**CASE NO.: 2017 CA 2421**

In Re: The Receivership of GUARANTEE INSURANCE COMPANY, a Florida corporation authorized to transact workers’ compensation insurance business.

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH GUARANTEE INSURANCE COMPANY.**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 27th day of November, 2017, the Department of Financial Services of the State of Florida was appointed as

Receiver of GUARANTEE INSURANCE COMPANY and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons having claims against the assets of GUARANTEE INSURANCE COMPANY shall present such claims to the Receiver on or before 11:59:59 p.m. EST, on Tuesday, May 29, 2018, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Receiver of GUARANTEE INSURANCE COMPANY, 2020 Capital Circle, SE, Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: [www.myfloridacfo.com/division/receiver](http://www.myfloridacfo.com/division/receiver).

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### Section XIII

#### Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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