

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

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO: 6M-8.601

RULE TITLE Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

PURPOSE AND EFFECT: The purpose of the rule revision is to modify the rule to accommodate the adoption of a new Florida Kindergarten Readiness Screener and establish the calculation of the VPK Provider Kindergarten Readiness Rates. Revisions were also made to correct tasks to be completed by the Office of Early Learning that were previously tasked to the Department of Education.

SUBJECT AREA TO BE ADDRESSED: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rates.

RULEMAKING AUTHORITY: 1002.69 and 1002.79 FS.

LAW IMPLEMENTED: 1002.69 (5),(6) FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES:

January 24, 2018, 4:00 p.m. to 6:00 p.m. or until business is concluded, whichever is earlier. Via GoToWebinar

January 25, 2018, 4:00 p.m. to 6:00 p.m. or until business is concluded, whichever is earlier. Via GoToWebinar

January 26, 2018, 1:00 p.m. to 3:00 p.m. or until business is concluded, whichever is earlier. Office of Early Learning, Lottery Training Room, 250 Marriott Drive, Tallahassee, FL and Via GoToWebinar

Participants must register to participate in workshops via webinar listed above. GoToWebinar links may be found at:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

February 1, 2018, 1:00 p.m. to 3:00 p.m. or until business is concluded, whichever is earlier. Conway Learning Center, 3636 E Michigan Street, Orlando, FL 32806

February 2, 2018, 9:00 a.m. to 11:00 a.m. or until business is concluded, whichever is earlier. Keiser University, 2101 NW 117 Ave., Miami, FL 33172

February 2, 2018, 2:30 p.m. to 4:30 p.m. or until business is concluded, whichever is earlier. Gulfstream Early Childhood Center, 120 SW 4th Ave., Hallandale Beach, FL 33009

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: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, Telephone: (850)717-8635. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IS: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, Telephone: (850)717-8635 or email: tara.huls@oel.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

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SUBJECT AREA TO BE ADDRESSED: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rates.

RULEMAKING AUTHORITY: 1002.69 and 1002.79 FS.

LAW IMPLEMENTED: 1002.69 (5),(6) FS.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: RULE TITLE:  
61G15-19.0051 Notice of Noncompliance  
PURPOSE AND EFFECT: The Board proposes the rule development to review and determine whether any updates to the rule are necessary.  
SUBJECT AREA TO BE ADDRESSED: Update the rule language.  
RULEMAKING AUTHORITY: 455.225 FS.  
LAW IMPLEMENTED: 455.224 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:  
61H1-26.001 Form of Practice and Name-Shared Office Space

PURPOSE AND EFFECT: The Board proposes the rule amendment to removing unnecessary or outdated language.

SUBJECT AREA TO BE ADDRESSED: Form of Practice and Name-Shared Office Space.

RULEMAKING AUTHORITY: 473.304, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:  
61H1-39.003 Peer Review Administering Entities  
PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding the American

Institute of Certified Public Accountants.

SUBJECT AREA TO BE ADDRESSED: Peer Review Administering Entities.

RULEMAKING AUTHORITY: 473.3125, 473.304 FS.

LAW IMPLEMENTED: 473.3125(2) 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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 BUSINESS AND PROFESSIONAL REGULATION

#### Board of Accountancy

RULE NO.:       RULE TITLE:

61H1-20.003    Client

PURPOSE AND EFFECT: The Board proposes the repeal of the rule due to outdated or unnecessary language.

SUMMARY: The rule will be repealed due to outdated or unnecessary language.

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, based upon the expertise and experience of its members, 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: 473.304 FS.

LAW IMPLEMENTED: 473.316 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.003 Client.

Rulemaking Authority 473.304 FS. Law Implemented 473.316 FS. History--New 12-4-79, Formerly 21A-20.03, 21A-20.003, Amended 9-21-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2017

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Board of Accountancy

RULE NO.:       RULE TITLE:

61H1-27.001       College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the manner by which accreditation, within the meaning of Section 473.306, F.S., is established.

SUMMARY: The manner by which accreditation, within the meaning of Section 473.306, F.S., is established, will be updated.

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, based upon the expertise and experience of its members, 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: 473.304, 473.306 FS.  
LAW IMPLEMENTED: 473.306 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-27.001 College or University Requirements.

(1) An accredited college or university within the meaning of Section 473.306, F.S., is a four-year degree granting college or university in the State University System or other four-year degree granting educational institution accredited at the time applicant's degree was received by virtue of membership in one of the following ~~regional~~ accrediting agencies so listed:

- (a) through (b) No change.
- (c) Higher Learning Commission North-Central Association of Colleges and Secondary Schools;
- (d) through (f) No change.
- (g) Association to Advance Collegiate Schools of Business (AACSB);
- (h)(g) No change.
- (i)(h) No change.
- (2) No change.
- (3) through (4) No change.

(5)(a) A graduate of a four-year degree granting institution not accredited at the time the applicant's degree was received or at the time of filing application will be deemed to be a graduate of a four-year accredited college or university course provided an accredited college or university as defined by subsections 61H1-27.001(1) and (2), F.A.C., accepts applicant's non-accredited baccalaureate degree ~~for admission to a graduate business degree program;~~ and the applicant satisfactorily completes at least 15 semester or 22 quarter hours, or the equivalent, in post-baccalaureate education at the accredited institution of which at least 9 semester or 13 quarter hours, including at least 3 semester or 4 quarter hours in taxation; or the equivalent, shall be in accounting; ~~and the accredited college or university verifies that the applicant is in good standing for continuation in the graduate program (or has maintained a grade point average in these courses that is necessary for graduation).~~ Elementary accounting subjects, or courses equivalent to elementary accounting, cannot be used to

satisfy the requirements of this rule. Elementary accounting subjects include principles of financial and managerial accounting courses even if they are covered in a three-course sequence, are titled "introductory," "fundamentals," or "principles," and even if they are offered at the graduate level.

(b) No change.

Rulemaking Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06, 8-13-06, 12-27-09, 2-6-12, 3-27-13, 8-7-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 2, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-29.0025 RULE TITLE: Temporary License - Electronic Practice  
PURPOSE AND EFFECT: The Board proposes the repeal of the rule due to outdated or unnecessary language.  
SUMMARY: The rule will be repealed due to outdated or unnecessary language.  
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, based upon the expertise and experience of its members, 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: 473.304, 473.314 FS.

LAW IMPLEMENTED: 473.314 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-29.0025 Temporary License – Electronic Practice.

Rulemaking Authority 473.304, 473.314 FS. Law Implemented 473.314 FS. History—New 2-12-98, Amended 8-28-06, 12-10-09, 1-7-13, 7-26-15, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2017

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Investigative and Forensic Services**

RULE NOS.: RULE TITLES:

69D-2.002 Definitions

69D-2.003 Insurer SIUs

69D-2.005 Compliance and Enforcement

PURPOSE AND EFFECT: The proposed amendments will implement the changes to Section 626.9891, F.S., enacted by Chapter 2017-178, Laws of Florida, establishing uniform anti-fraud prevention standards applicable to all insurers. Section 626.9891, F.S., requires all insurers to establish and maintain an anti-fraud investigation unit, or to contract for such services, and to submit an anti-fraud plan to the Department.

SUMMARY: Rule 69D-2.002, F.A.C., adds definitions of the terms “anti-fraud investigative unit,” “Commission,” and “designated anti-fraud unit or division.” Rule 69D-2.003, F.A.C., adopts a form that an insurer can use to comply with the anti-fraud plan filing requirements of Section 626.9891, F.S. Rule 69D-2.005, F.A.C., is amended to reflect statutory changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 624.308, 626.9891, FS.

LAW IMPLEMENTED: 624.307, 624.4211, 626.989, 626.9891, 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: February 5, 2018, 10:00 a.m.

PLACE: Alexander Building, Room 2100, 2020 Capital Circle SE, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lorie Wiese, telephone: (850)413-4094, email: lorie.wiese@myfloridacfo.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Simon Blank, Director, Division of Investigative and Forensic Services, address: 200 E. Gaines Street, Tallahassee, FL 32301, telephone: (850)413-4001, email: Simon.Blank@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69D-2.002 Definitions.

For the purposes of this rule chapter:

(1) “Anti-fraud investigative unit” means the designated anti-fraud unit or division, or contractor authorized under subparagraph 626.9891(2)(a)2., F.S.

(2) “Commission” means the Financial Services Commission.

(3) “Designated anti-fraud unit or division” means a distinct unit or division or a unit or division made up of employees whose principal responsibilities are the investigation

and disposition of claims and who are also assigned to investigate and report possible fraudulent insurance acts.

~~(4)(1) “Division” means refers to the Department of Financial Services, Division of Forensic and Investigative Services Insurance Fraud.~~

~~(2) “NAIC” refers to the National Association of Insurance Commissioners.~~

~~(5)(3) “Office” means refers to the Office of Insurance Regulation.~~

~~(4) “SIU” refers to an insurer’s internal or contracted anti-fraud investigative unit.~~

~~Rulemaking Authority 624.308, 626.9891(10), 626.9891(8) FS. Law Implemented 624.307, 626.9891(8) FS. History—New 10-5-06, Amended \_\_\_\_\_.~~

69D-2.003 Insurer Anti-Fraud Plans SIUs.

~~(1) An insurer subject to subsection 626.9891(2) (4), F.S., shall file with the Division a completed insurer anti-fraud plan detailed description of their SIU, and shall submit the plan electronically via the Division’s website at [www.myfloridacfo.com](http://www.myfloridacfo.com). The completed plan shall be submitted on Form DFS-L1-1689, Anti-Fraud Plan (Rev. 10/17), which is hereby incorporated by reference and available on the Division’s website. The insurer’s filing of the information required on Form DFS-L1-1689 shall constitute an adequately detailed description of its designated anti-fraud unit as required by subsection 626.9891(2), F.S. An insurer that elects to contract with others to investigate and report possible fraudulent insurance acts pursuant to subparagraph 626.9891(2)(a)2., F.S., shall also electronically file a copy of the executed contract with the Division, following information in the SIU description to satisfy this filing requirement:~~

~~(a) The names of all personnel assigned to the SIU, and a description of each person’s work responsibilities relating to the SIU’s anti-fraud efforts.~~

~~(b) An acknowledgment that the SIU has established criteria that will be used to detect suspicious or fraudulent activity during investigations relating to the different types of insurance offered by that insurer.~~

~~(c) An acknowledgment that the SIU has established criteria that will be used for the investigation of acts of suspected insurance fraud relating to the different types of insurance offered by that insurer.~~

~~(d) An acknowledgment that the insurer or SIU shall report all suspected fraudulent insurance acts directly to the Division electronically via Form DFS L1 1691 (Eff. 10-5-06) “Suspected Fraud Referral Form,” or an electronic reporting interface that is linked to such form, as provided on the Division’s website at [www.myfloridacfo.com](http://www.myfloridacfo.com). Form DFS L1-1691 (eff. 10-5-06) Suspected Fraud Referral Form is hereby adopted and incorporated by reference.~~

~~(e) An acknowledgment that all such reports of suspected insurance fraud shall contain information that clearly defines and supports the allegation of suspicious activity.~~

~~(f) An acknowledgment that the insurer or SIU shall record the date that suspected fraudulent activity is detected, and shall record the date that reports of such suspected insurance fraud are sent directly to the Division.~~

~~(g) An acknowledgment that the insurer or SIU shall provide training relating to the detection and investigation of fraudulent insurance acts for all personnel involved in anti-fraud related efforts.~~

~~(h) An acknowledgment that the insurer or SIU shall provide on going training during the reporting period.~~

~~(i) The contact information including names, email addresses, and telephone numbers, for personnel designated by the insurer or SIU to be responsible for achieving and maintaining compliance with Section 626.9891(1), F.S., and this rule chapter.~~

~~(j) The insurer’s NAIC individual and group code numbers.~~

~~(2) The following information must be included in the insurer’s anti-fraud plan:~~

~~(a) An acknowledgment that all reports of suspected insurance fraud shall contain information that clearly defines and supports the allegation of suspicious activity.~~

~~(b) An acknowledgment that the insurer or anti-fraud investigative unit shall record the date that suspected fraudulent activity is detected, and shall record the date that reports of such suspected insurance fraud are sent directly to the Division.~~

~~(2) An insurer or SIU subject to Section 626.9891(1), F.S., and this rule chapter, shall submit this SIU description electronically via the Division’s website at [www.myfloridacfo.com](http://www.myfloridacfo.com). The SIU description shall be submitted electronically on Form DFS L1 1689 (Eff. 10-5-06) “SIU Description Form” as provided on the Division’s website at [www.myfloridacfo.com](http://www.myfloridacfo.com). Form DFS L1 1689 (eff. 10-5-06) SIU Description Form is hereby adopted and incorporated by reference. The insurer’s filing of the information required in subsection (1) above shall constitute an adequately detailed description of its SIU as required by Section 626.9891(1), F.S.~~

~~(3) Nothing in this rule shall require that the anti-fraud investigative unit an SIU utilize all established criteria in every circumstance.~~

~~(4) The filing of the information required herein is not intended to constitute a waiver of an insurer’s privilege, trade secret, confidentiality or any proprietary interest in its anti-fraud investigative unit SIU, its anti-fraud investigative unit SIU description, or its anti-fraud investigative unit SIU policies and procedures.~~

~~Rulemaking Authority 624.308, 626.9891, 626.9891(8) FS. Law Implemented 624.307, 626.989, 626.9891(4) FS. History—New 10-5-06, Amended \_\_\_\_\_.~~

69D-2.005 Compliance and Enforcement.

(1) The Division shall review the filings of ~~SIU descriptions~~ and insurer anti-fraud plans and the Office may conduct audits pursuant to Section 624.3161, F.S., to determine compliance with Section 626.9891, F.S., and this rule chapter.

(2) If an insurer fails to timely file an anti-fraud plan ~~or SIU description~~, fails to implement or follow the provisions of its anti-fraud plan ~~or SIU description~~, fails to report the required data related to fraud for each identified line of business written by the insurer, or in any other way fails to comply with the requirements of Section 626.9891, F.S., and this rule chapter, the Department, Office, or Commission may take appropriate administrative action in accordance with Sections 626.9891(8)(7) and 624.4211, F.S., and Rule 69O-142.011, F.A.C.

Rulemaking Authority 624.308, 626.9891 FS. Law Implemented 624.307, 624.4211, 626.9891(7) FS. History--New 10-5-06, Amended 8-9-15, \_\_\_\_\_ .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Simon Blank, Director, Division of Investigative and Forensic Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 05, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 16, 2017

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: RULE TITLE:

1S-9.005: Comprehensive Emergency Suspension of Election Plan

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. 43 No. 234, December 6, 2017 issue of the Florida Administrative Register.

1S-9.005: Comprehensive Emergency Suspension of Election Plan.

(1) Notice of suspended or delayed election. As soon as possible after a regularly scheduled election or a special election has been suspended or delayed pursuant to Section 101.733, F.S., the supervisor of elections from an affected county or the municipal clerk from an affected municipality

must provide public notice of the suspended or delayed election. Such notification must be:

- (a) No change.
- (b) Posted on the respective supervisor of elections and/or municipal clerk’s website (if functioning); and
- (c) Displayed in at least five different conspicuous places in the affected county or municipality, ~~and~~
- ~~(d) Publicized, to the extent practicable or necessary, by any other means available.~~

(2) Conduct of rescheduled election.

- (a) No change.
- (b) If the suspended or delayed election involves a countywide, multicounty, or statewide election, each supervisor of elections from the affected area shall provide as soon thereafter as possible the following information to the Division of Elections to facilitate coordination and assistance as needed:

- 1. No change.
- 2. Any changes to early voting sites locations, days and hours as reported pursuant to Section 101.657, F.S. Any change must be made in accordance with section 101.657, F.S. unless otherwise authorized by executive order.
- 3. No change.
- 4. Status report regarding availability, loss, and destruction of polling places and early voting sites locations pursuant to subsection (3), voting equipment, precinct registers, ballots and other election materials.

5. through 7. No change.  
(3) Polling places and early voting sites. The supervisor of elections from an affected county or the municipal clerk from an affected municipality shall:

- (a) Identify the number of previously established polling places and early voting sites that:
  - 1. Are functional;
  - 2. ~~the number of previously established polling places that~~ Can be repaired or restored to functionality, safety, and accessibility pursuant to Section 101.715, F.S.; and
  - 3. ~~the number of previously established polling places that~~ Have been destroyed or cannot otherwise be repaired or restored to functionality, safety, or accessibility.

(b) Determine the safety and ability to use existing polling places and early voting sites and the need and availability of alternate polling places and early voting sites.

- 1. Such determination and efforts to establish new temporary polling places and early voting sites shall be made in coordination with federal, state, and local emergency management agencies as needed.
- 2. Only the Supervisor of elections is authorized to establish new temporary polling places or early voting sites.
- 3. No change.
- 4. Sufficient lighting must exist along the accessible path of travel to and from, and within the polling place and early

~~voting area. Where possible, adequate lighting must be provided at all polling places.~~

(c) Coordinate with federal, state, and local emergency management agencies as needed, to include the county and city law enforcement and the National Guard in an effort to:

1. Provide security for polling places and early voting sites, voting equipment, precinct registers and election materials at existing, destroyed, and newly established temporary polling places and early voting sites;

2. Secure salvageable voting equipment, precinct registers (electronic or paper) and other election materials from destroyed or damaged polling places and early voting sites; and

3. Mitigate loss or damage of polling places and early voting sites, voting equipment, electronic media, and election materials.

(d) No change.

(4) Poll workers. The supervisor of elections from an affected county or the municipal clerk from an affected municipality shall:

(a) No change.

(b) ~~Provide~~ Determine the appropriate credentials that will clearly identify for identifying poll workers who will assist in the ~~rescheduled~~ election process.;

~~1. Any credentialing shall be done with the support and technical assistance of the local emergency management agency as appropriate in both pre and post emergency situation.~~

~~2. Any qualified registered elector in the State of Florida may be recruited, trained and serve as a poll worker in the county or municipality for such purpose if there is a shortage of poll workers able to serve in the respective jurisdiction.~~

~~3. The supervisor of elections from an affected county must train all poll workers except where municipal clerks from affected municipalities are authorized to train poll workers pursuant to municipal charter or municipal ordinance.~~

(c) May recruit and train qualified registered electors in the State of Florida to serve as poll workers if shortages exist within the respective jurisdiction.

(5) Vote-by-mail ballots. The supervisor of elections from an affected county or the municipal clerk from an affected municipality:

(a) May establish temporary vote-by-mail ballot sites in the affected areas or at any place in the county or city, and, if established, must publicize those sites through public service announcements in the manner specified in subsection (1) the print and electronic media and any other means.

1. Such sites must be secure, supervised and under the direct control of the supervisor of elections or the municipal clerk.

2. All vote-by-mail ballots shall be distributed at and collected from such sites at least daily under the supervision and

direct control of the supervisor of elections or the municipal clerk. On election day, the returned ballots shall be collected from the sites sufficiently in advance to be received by 7 p.m. by such supervisor of elections or municipal clerk.

(b) Any registered voter who is a resident of the affected area, or any elector of the state who is in the affected area providing emergency assistance including emergency responders, may request and obtain a vote-by-mail ballot on election day without having to execute an Election Day Vote-by-Mail Ballot Delivery Affidavit. If an elector from outside the county jurisdiction is providing emergency assistance on election day, the elector's supervisor of elections may fax or email a vote-by-mail ballot to the elector, but the elector may only return the voted ballot by fax. The supervisor of elections or the municipal clerk in the county where the voter is registered ~~Such ballot must still receive the ballot~~ be received by 7 p.m. on the regularly scheduled or delayed election day, whichever is applicable by supervisor of elections or the municipal clerk in the county in which the voter is registered.

(6) Voting and tabulation equipment. Supervisors of elections from affected counties or municipal clerks from affected municipalities:

(a) through (b) No change.

(c) Shall conduct a publicly-noticed logic and accuracy test pursuant to Section 101.5612(1), F.S.; ~~on the tabulation equipment which will be used in the election.~~

1. On any certified tabulation equipment that will be used in the rescheduled election if said equipment was not tested during the logic and accuracy test conducted for the originally-scheduled election;

2. On all certified tabulation equipment to be used in the rescheduled election, if parameters used within the voting system to define the tabulation and reporting instructions are changed in any way, notwithstanding that the equipment was tested during the logic and accuracy test conducted for the originally-scheduled election.

(d) through (e) No change.

(7) Other public notices for the delayed or suspended election.

(a) No change.

(b) Canvassing board meetings; logic and accuracy tests conducted pursuant to Section 101.5612(1), F.S., which have been previously noticed but are affected by the suspension or delay of an election must be renoticed through public service announcements renoticed in the manner specified in subsection (1) in the print and electronic media and any other means available to provide the public reasonable notice of any meetings or tests.

(8) No change.

(9) Election returns.

(a) through (b) No change.



~~(c) Where a supervisor of elections or municipal clerk is required to either withhold or certify previously withheld returns, a logic and accuracy test shall be conducted pursuant to Section 101.5612(1), F.S. The supervisor of elections or municipal clerk shall comply with the requirements of Section 101.5607(1)(b), F.S.~~

Form.

Changes to the incorporated form, DS-DE 149, consist of renaming the title of the form to conform with the form’s title in the text of the rule: COOP Contact Information Form; changing the parenthetical under the title to read: “(Information is gathered as part of emergency response for continuity of operations planning as authorized by Section 252.365, Fla. Stat., and not otherwise subject to public disclosure.);” and changing the last line in the body of the form to read: “Florida Department of State Election Night (“Enight”) Staff Contact (name, phone and email).”

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE NOS.:	RULE TITLES:
5B-54.001	Definitions
5B-54.003	Regulated Honeybee Pests
5B-54.004	Unwanted Races of Honeybees
5B-54.005	Regulated Articles
5B-54.006	Movement of Regulated Articles
5B-54.010	Registration with the Department
5B-54.0105	Location of Managed Honey Bee Colonies
5B-54.011	Apiary Inspection Procedures
5B-54.0115	Special Inspection and Certification Fees
5B-54.012	Apiary Inspection Conditions
5B-54.013	Identification of Ownership of Honeybee Hives
5B-54.014	Issuance of Certificates
5B-54.015	Special Inspection to Meet Requirements of Other States and for Export to Foreign Countries
5B-54.016	Interim Detention of Honey Bees and Equipment
5B-54.017	Destruction or Treatment of Infested or Infected Colonies
5B-54.0175	Irradiation of Beekeeping Equipment
5B-54.018	Compensation for Infested or Infected Colonies
5B-54.019	Procedures for Abandoned Apiaries
	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. 43 No. 199, October 13, 2017 issue of the Florida Administrative Register.

THE FULL TEXT OF THE PROPOSED IS:

5B-54.001 Definitions.

(1) For the purpose of this chapter, the definitions in Section 586.02, F.S., and the following definitions shall apply:

(a) Authorized Representative. Any designated employee, inspector, or collaborator of the department or the United States Department of Agriculture.

(b) Backyard Beekeeper: A beekeeper who maintains 1 to 40 colonies on agricultural or non-agricultural property.

(c) Certificate of Inspection. An official document stipulating compliance with the requirements of this chapter. The term certificate may include label, rubber stamp imprint, tag permit, written statement, or any form of inspection and certification document which accompanies the movement of inspected and certified honey bees, honey bee equipment or other regulated articles.

(d) Certificate of Registration. An official document issued by the department to honey bee colony owners as evidence of being properly registered with the department in compliance with the requirements of this chapter.

(e) Commercial Beekeeper. A beekeeper who maintains 101 colonies or more on agricultural or non-agricultural property for income.

(f) Continuing Education Unit (CEU). A measure used in acquiring educational merit needed for a professional to maintain a business license.

(g) Division Director. The director of the Division of Plant Industry.

(h) Honey bee (also known as honeybee): means all species of the western honey bee (*Apis mellifera*). Managed colonies in the state of Florida are those that have European sub-species of *Apis mellifera* contained therein.

(i) Motherline. The queen or hive from which eggs or larvae are taken for queen rearing.

(j) Nucleus hive (nucs). A small colony of bees often used in making new increases and queen rearing, or the box in which the small colony of honey bees resides. The term refers to the fact that the essentials; bees, brood, food, a queen or the means to make one, are there for it to grow into a colony, but it is not a full sized colony.

(k) Queen Breeder. A beekeeper that rears queens for sale or trade.

(l) Sideline Beekeeper. A beekeeper who maintains 41 to 100 colonies on agricultural or non-agricultural property for income.

(m) Stock Dealer. A beekeeper that produces nucs, colonies, or other arrangements consisting of frames with comb, honey bees, and a queen for the purpose of sale or trade that at any time maintains physical possession of such stock.

(n) USDA. United States Department of Agriculture, Animal and Plant Health Inspection Services, Plant Protection and Quarantine.

(o) Top-Bar Hive (TBH). A single-story horizontal construction, frameless beehive in which the comb hangs from removable bars or slats.

(2) The purpose of this chapter is to identify and declare as nuisances those honey bee pests and unwanted races of honey bees which are known to science and considered to seriously threaten Florida's beekeeping industry. It is also the purpose of this chapter to provide guidelines for registering beekeepers and the placement of honey bee colonies, conducting inspection, control, eradication, and regulatory action to prevent the establishment of honey bee ~~honeybee~~ pests and unwanted races of honey bees, to provide early detection of any new pests, and to prevent or control their distribution within the state if infestation occurs.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.02, 586.11 FS. History—New 11-22-88, Amended 6-20-00, 1-1-14, \_\_\_\_\_.

5B-54.003 Regulated Honey Bee Pests, Races, and Regulated Articles.

~~Each of~~ The following honey ~~honey~~ bee pests, races, and articles ~~are~~ is found to be capable of damaging or causing abnormalities to honey bees, colonies of honey bee or beeswax and is declared to constitute a nuisance. ~~Any other honey bee pest, race, or regulated article will be considered a threat to the state upon a risk assessment conducted by the Department. The risk assessment will be incident specific, and may include, but is not limited to, the origin, regulatory environment of origin, and nature of the honey bee pest, race, or regulated article.~~

(1) Honey bee pests:

~~(a)(1)~~ American foulbrood. The disease organism known as *Paenibacillus* larvae.

~~(b)(2)~~ The mite *Tropilaelaps clareae*.

~~(3) Any other honey bee pest determined by the department to be a threat to the state.~~

(2) Honey bee races:

(a) *Apis mellifera scutellata*, African honey bee.

(b) *Apis mellifera capensis*, Cape honey bee.

(3) Regulated Articles:

(a) Honey bee. All forms of the insect, *Apis mellifera*.

(b) Regulated honey bee pests. Those honey bee pests listed under Rule 5B-54.003, F.A.C.

(c) Unwanted races of honey bees listed under subsection

2.

(d) Used beekeeping equipment or fixtures.

Rulemaking Authority 586.10(2) FS. Law Implemented ~~586.10(3)~~ ~~586.10(5)~~ FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 3-11-04, 8-24-05, \_\_\_\_\_.

5B-54.004 Unwanted Races of Honey Bees.

~~Each of the following unwanted races of honey bees is found to be capable of inflicting damage to man or animals greater than managed or feral honey bees commonly utilized in North America and is declared to constitute a nuisance:~~

~~(1) *Apis mellifera scutellata*, African honey bee.~~

~~(2) *Apis mellifera capensis*, Cape honey bee.~~

~~(3) Any other unwanted races of honey bees determined by the department to be a threat to the state.~~

Rulemaking Authority 586.10(2) FS. Law Implemented ~~586.10(3)~~ ~~586.10(5)~~ FS. History—New 11-22-88, Amended 11-4-92, Repealed \_\_\_\_\_.

5B-54.005 Regulated Articles.

~~Each of the following is found to be capable of transporting a honey bee pest or an unwanted race of honey bees and is declared to be a regulated article:~~

~~(1) honey bee. All forms of the insect, *Apis mellifera*.~~

~~(2) Regulated honey bee pests. Those honey bee pests listed under Rule 5B-54.003, F.A.C.~~

~~(3) Unwanted races of honey bees listed under Rule 5B-54.004, F.A.C.~~

~~(4) Used beekeeping equipment or fixtures.~~

~~(5) Any other article capable of transporting a regulated honey bee pest or an unwanted race of honey bees.~~

Rulemaking Authority 586.10(2) FS. Law Implemented ~~586.10(3)~~ ~~586.10(5)~~ FS. History—New 11-22-88, Amended 11-4-92, Repealed \_\_\_\_\_.

5B-54.006 Movement of Regulated Articles.

~~(1) The international movement of regulated articles as listed under Rule 5B-54.005, F.A.C., are prohibited entry into the state unless accompanied by an official letter issued by the Division Director authorizing entry under special conditions.~~

~~(1)(2) All regulated articles, as listed under Rule 5B-54.003 5B-54.005, F.A.C., entering the state shall be accompanied by a current Certificate of Beekeeping Registration, FDACS-08177, revised 07/17, incorporated in Rule 5B-54.014, F.A.C., or apiary inspection documentation a Certificate of Apiary Inspection for Out of State, FDACS 08061, revised 07/17, incorporated in Rule 5B-54.014, F.A.C., issued by the state of origin, certifying that such regulated articles were inspected and found to meet department entry requirements. Each shipment shall be accompanied with the owner's name, contact information, and the ultimate destination of the shipment. Any regulated article contained in shipments entering the state shall be subject to reinspection by an authorized representative to affirm freedom from regulated honey bee pests and unwanted races of honey bees.~~

~~(2)(3) All regulated articles leaving the state shall be accompanied by a current Certificate of Beekeeping Registration, FDACS-08177, revised 07/17, incorporated in Rule 5B-54.014, F.A.C., and a Certificate of Apiary Inspection~~

for Out of State, FDACS 08061, revised 07/17, incorporated in Rule 5B-54.014, F.A.C.

(3)(4) Intrastate movement of regulated articles listed under 5B-54.003 ~~5B-54.005~~, F.A.C., are prohibited movement within the state unless such regulated articles meet the requirements set forth in this chapter and are identified as specified in Rule 5B-54.013, F.A.C., and accompanied by a current Certificate of Beekeeping Registration, FDACS-08177, revised 07/17, incorporated in Rule 5B-54.014, F.A.C.

(4)(5) Any honey bees and used beekeeping equipment, whether certified or not, may be detained for inspection by the department. If such bees or used beekeeping equipment are found to have been moved or transported into the state or within the state in violation of the rules of the department, or if found infested or infected with any regulated honey bee pests or unwanted races of honey bees, such honey bees or used beekeeping equipment shall be returned, destroyed, or treated by the department within 48 hours upon the order of the department. An Apiary Advisory Notice for Improper Movement of Regulated Articles, FDACS-08201, revised 07/17, is provided for this purpose and incorporated herein by reference. A copy may be obtained online via <http://www.flrules.org/Gateway/reference.asp?No=Ref-No>.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.025, 586.10(3), 586.045, 586.10(3) ~~586.035(1)~~, 586.10(6), 586.11, 586.13(1) FS. History—New 11-22-88, Amended 11-4-92, 6-20-00, \_\_\_\_\_

5B-54.010 Registration with the Department.

Each beekeeper having honey bee colonies within the state must register with the department utilizing the following procedures:

(1) Submit an application which shall contain provisions with which the applicant must comply and must be signed by the applicant or applicant’s representative. The Application for Beekeeping Registration, (FDACS-08176, revised 12/17 07/17), is provided for this purpose and incorporated herein by reference. A copy may be obtained ~~from~~ online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-No>.

(2) An applicant’s honey bees shall be inspected by an authorized representative of the department and found to be free from common honey bee pests, including pests listed in Rule 5B-54.003, F.A.C., and from unwanted races of honey bees listed in Rule 5B-54.004, F.A.C.

(3) By signing the application the beekeeper agrees to comply with appropriate rules of the department. Each Application for Beekeeping Registration (FDACS 08176, revised 12/17 07/17), must be accompanied by the proper registration fee based on the total number of colonies operated by the registrant as follows:

Number of Colonies	Fee
1 – 5	\$10
6 – 40	\$20
41 – 200	\$40
201 – 500	\$70
501 +	\$100

~~(4) Active Duty Military and Veterans are exempt from the payment of the registration fee upon showing proof of honorable discharge via either a DD Form 214, DD Form 220, or a Veteran Health Identification Card, or a Florida Driver’s License indicating Veteran’s status with the initial application for registration.~~

(4)(5) Upon approval of an application, the department will issue to the applicant beekeeper a Certificate of Beekeeping Registration, (FDACS-08177, revised 07/17) which is incorporated in 5B-54.014, F.A.C.

(5)(6) Annual renewal of the certificate must be made not later than the anniversary date of the certificate and must be accompanied by the appropriate registration fee.

(6)(7) Annual renewal received after the anniversary date shall be accompanied by a \$10 late filing fee.

(7)(8) Failure to register or maintain active registration while maintaining European honey bees is a violation of Section 586.045, F.S., and is subject to the penalties set forth in Section 586.15, F.S.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.045, 586.10(3)(f), ~~(3)(i)~~, 586.15 FS. History—New 11-22-88, Amended 11-4-92, 6-20-00, 3-11-04, 1-1-14, \_\_\_\_\_.

5B-54.0105 Location of Managed Honey Bee Colonies.

(1) With the permission of the landowner or legal representative, managed European honey bee colonies may be located on either:

(a) Land classified as agricultural under Section 193.461, F.S., provided they are compliant with the provisions of Chapter 586, F.S., and all rules promulgated thereunder; or

(b) Land classified as non-agricultural under Section 193.461, F.S., that is integral to a beekeeping operation provided the beekeeper signs a Beekeeper Compliance Agreement, FDACS-08492, revised 12/17 07/17. This compliance agreement is incorporated herein by reference and may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No=Ref>.

(2) The Beekeeper Compliance Agreement, FDACS-08492, revised 12/17 07/17, provides best management requirements for maintaining European honey bee colonies on

non-agricultural lands and incorporates swarm prevention techniques as explained in Swarm Control for Managed Beehives (UF-IFAS Publication ENY-160, revised February 2016). UF-IFAS Publication ENY-160 is incorporated herein by reference and a copy may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No>.

(3) The Honey Bee Queen Compliance Agreement, FDACS-08419, Revised 12/17, provides best management requirements for maintaining Hone Bee Queens. This agreement is incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No>.

(4)(3) Special Permits – The Division Director shall issue a special permit for the placement of managed honey bee colonies on lands other than agricultural that do not meet the requirements within the Beekeeper Compliance Agreement, FDACS 08492, revised 12/17 07/17 provided the property is determined to be integral to a beekeeping operation based on the following standards and conditions:

(a) The property owner must submit a written request to the Assistant Chief of the Bureau of Plant and Apiary Inspection that includes a map of the property with the proposed number and location of the managed honey bee colonies;

(b) The property owner must submit a written explanation of the justification for a special permit, including measures that will be taken to mitigate any best management requirements that cannot be met and any other special circumstances that are relevant; and

(c) Agreement from the Division that a special permit is justified and the beekeeping operation will not pose a public nuisance or unacceptable safety concern.

(d) Apiary locations shall be registered to include the physical location by street address or a geographic coordinate.

(5) Managed European honey bee colonies not in compliance with 586.10(1), F.S. and this section shall be issued a Notice of Non-Compliance for Maintaining European Honey Bee Colonies, FDACS-08499, revised 07/17, which is incorporated herein by reference and may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-No>. Rulemaking Authority 586.10 FS. Law Implemented 586.045, 586.055, 586.10(1) 586.10(3)(f), (3)(i), 586.15 FS. History–New 1-1-14, \_\_\_\_\_.

5B-54.011 Apiary Inspection Procedures.

(1) Each Florida apiary shall be inspected and issued an Apiary Inspection Report (FDACS-08206, revised 12/17 07/17) by an authorized representative of the department. This inspection shall include a visual examination of the hives for detection of honey bee pests listed in Rule 5B-54.003, F.A.C., and unwanted races of honey bees in Rule 5B-54.004, F.A.C. Apiary Inspection Report, FDACS-08206, revised 12/17 07/17,

is incorporated herein by reference and a sample may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No>.

(2) Inspection of an apiary shall include actual visual inspection of not less than five (5) percent of the colonies included in the apiary. One hundred (100) percent of the colonies may be inspected if determined appropriate by the department. A minimum of ten (10) colonies shall be inspected in the apiary with all colonies inspected in any apiary consisting of less than ten (10) colonies.

(3) Maintenance of apiary site. Each apiary site shall be maintained in such a manner as to allow reasonable access for inspection. Colonies must be arranged so that the inspection functions can be performed. The owner or designated representative shall be notified by the department if the conditions of the site are such that an inspection cannot reasonably be performed.

(4) Movable frame hives. The keeping of honey bees in containers without movable frames by a beekeeper is prohibited. Beekeepers found utilizing hives without movable frames will be required to transfer the bees to a movable frame hive or to destroy the colony.

(5) Top bar hives. The owner is responsible for facilitating the movement of the comb during an inspection.

(6) Queen certification shall be validated annually by sampling each mother line.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)(a) FS. History–New 11-22-88, Amended 11-4-92, 6-20-00, 1-1-14, \_\_\_\_\_.

5B-54.0115 Special Inspection and Certification Fees.

Special inspection and certification fees shall be as follows:

Queen certification	\$25 per certificate issued or special inspection made plus mileage.
Stock Dealer certification	\$25 per certificate
Import inspection for shipments of honey bee colonies	\$25 per certificate
Certificate of Apiary Inspection for Out of State	\$25 per certificate
Specimen sampling	\$10 per sample plus mileage <sup>1</sup> , \$10 minimum.
Honey sampling	\$10 per sample plus mileage <sup>1</sup> , \$10 minimum.
Other special inspection of honey bee colonies	\$25 per inspection.

<sup>1</sup>Mileage shall be based on the prevailing state mileage rate. Rulemaking Authority 586.045, 586.10(2) FS. Law Implemented 586.03(02), (3), 586.10(3), 586.045 FS. History–New 11-4-92, Amended 3-11-04, \_\_\_\_\_.

## 5B-54.012 Apiary Inspection Conditions.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(4), (9) FS. History—New 11-22-88, Repealed.

## 5B-54.013 Identification of Ownership of Honey bee Hives.

No change.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)~~586.10(12)~~ FS. History—New 11-22-88, Amended 11-4-92, \_\_\_\_\_.

## 5B-54.014 Issuance of Certificates.

The following certificates are incorporated herein by reference and available online as indicated.

(1) Certificate of Beekeeping Registration, FDACS-08177, revised 07/17, is required on each sale or trade, movement within the state, re-entry per shipment of honey bees, and other regulated articles into Florida. A copy is available online at <http://www.flrules.org/Gateway/reference-No>.

(2) A Certificate of Apiary Inspection for Out of State Movement, FDACS-08061, revised 12/17 ~~07/17~~ is used for ~~required per~~ shipments of honey bees or other regulated articles leaving the state when requested by the receiving state. A copy of this form is available online at <http://www.flrules.org/Gateway/reference-No>.

(3) Notice of Quarantine ~~Quarantine~~, Stop-Sale and Hold Order For Honey Bee Colonies American Foulbrood Disease, FDACS-08063, revised 12/17 ~~07/17~~, is available online at <http://flrules.org/Gateway/reference-No>.

(4) Queen Certificate, FDACS-08057, revised 12/17 ~~07/17~~, is required for any beekeeper that rears queens for sale or trade. Queen must come from a certified European mother line source. A copy of this form is available online at <http://www.flrules.org/Gateway/reference-No>.

(5) Stock Dealer Certificate, FDACS-08517, revised 12/17 ~~07/17~~, is required to produce nucs, colonies, or other arrangements consisting of frames with comb, honey bees and a queen for the purpose of sale or trade. The queen must come from a certified European mother line source. A copy of this form is available online at <http://www.flrules.org/Gateway/reference-No>.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)~~(4)~~, 586.11, 586.13, FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 6-20-00, 8-24-05, 1-1-14, \_\_\_\_\_.

## 5B-54.015 Special Inspection to Meet Requirements of Other States and for Export to International Countries.

Any person may request the department to provide inspection, sampling, and laboratory examination of honey bees and beekeeping equipment for the purpose of determining eligibility to meet special requirements for shipment to other states and for export, under the following procedures:

(1) Request an inspection at least seven days in advance of the anticipated date of movement. ~~Requests for immediate inspections will be charged an additional fee to defray the cost of inspection.~~ A Request for Special Inspection, FDACS-08179, revised 07/17, is incorporated herein by reference and provided for this purpose. A copy of this form is available online at <http://www.flrules.org/Gateway/reference-no>.

(2) Provide authorized representatives with directions to the apiary, and, if requested, assistance in handling the colonies and equipment for examination.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.02(13), 586.03(3) FS. History—New 11-22-88, Amended 11-4-92, 6-20-00, 1-1-14, \_\_\_\_\_.

## 5B-54.016 Interim Detention of Honey Bees and Equipment.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)(a), 586.13 FS. History—New 11-22-88, Amended 6-20-00, 1-1-14, Repealed.

## 5B-54.017 Destruction or Treatment of Infested or Infected Colonies.

(1) American foulbrood (AFB), *Paenibacillus* larvae, a bacterial spore forming disease affecting honey bee larvae, can spread rapidly causing honey bee colony decline and hive mortality if left unmanaged. All colonies found infested or infested with AFB shall be destroyed by burning or shall be treated using irradiation as prescribed in Rule 5B-54.0175(2), F.A.C. This destruction or treatment must be accomplished within 7 days of a positive diagnosis, and honey bee colonies and related equipment must be stored or maintained in such a manner that exposure to other honey bees is prevented. All colonies found in the same apiary where AFB is detected shall be quarantined for a minimum of 30 days after destruction or treatment by issuing a Notice of Quarantine, Stop-Sale And Hold Order For American Foulbrood Disease, FDACS-08063, revised 12/17 ~~07/17~~, as incorporated in Rule 5B-54.014, ~~5B-54.0014~~, F.A.C., to determine apparent freedom from AFB disease.

(2) through (3) No change.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)(a), (3)(c), 586.13, 586.112 FS. History—New 11-22-88, Amended 11-4-92, 7-9-95, 6-20-00, 8-24-05, 1-1-14, \_\_\_\_\_.

## 5B-54.0175 Irradiation of Beekeeping Equipment.

Equipment from colonies found infested with American foulbrood may be irradiated as an alternative to destruction under the conditions below:

(1) All honey bees, honey, and all visible signs of American foulbrood must be removed and destroyed under the direct supervision of the department and must be done in such a manner that exposure to other bees is minimized.

(2) Under the direct supervision of the department, each piece of equipment including frames, supers, tops, bottoms, etc., shall be irradiated at a minimum dose rate of 20K Gy and marked verifying treatment at an irradiation facility. It shall be the responsibility of the equipment owner to locate an irradiation facility capable of treatment at the prescribed dose. Rulemaking Authority 586.10(2)(a) FS. Law Implemented 586.10(3)(a), ~~586.112~~, 586.13 FS. History—New 11-4-92, Amended 1-1-14, \_\_\_\_\_.

5B-54.018 Compensation for Infested or Infected Colonies.

(1) Florida registered beekeepers of colonies and regulated articles destroyed due to infection or infestation with American foulbrood will be compensated provided funding is available for this purpose at \$25.00 per colony. Also, compensation will be paid in full for the first 10 diseased colonies, after which payment will be reduced as follows: If the disease rate exceeds 50 percent of the total colony inventory, then the payment will be reduced 50 percent. The condition of the equipment to be destroyed shall be rated by the inspector and the beekeeper as good, fair, or poor. Any disagreement over the condition or value of equipment to be destroyed shall be arbitrated by the Assistant Chief of Apiary Inspection, the Cooperative Extension Service Apiary Specialist, and the Chairman of the Honey Bee Technical Council. A Compensation Agreement must be signed by the owner. The Compensation Agreement, FDACS-08062, revised 07/17), is incorporated herein by reference and may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No.> Additionally, Internal Revenue Service’s Form W-9, Request for Taxpayer Identification Number and Certification, Rev. December 2014, is hereby incorporated by reference and may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No.>

(2) Other Honey Bee Pests and Unwanted Races of Honey Bees. Owners shall not be awarded compensation for depopulation of colonies due to the presence of honey bee pests or unwanted races of honey bees in the colonies or their possible subjection to infestation by these organisms, except by special provisions for compensation that may be established by state or federal legislation for damages incurred as a result of control or eradication procedures by the department.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.13, 586.14 FS. History—New 11-22-88, Amended 11-4-92, 6-20-00, 3-11-04, 1-1-14, \_\_\_\_\_.

5B-54.019 Procedures for Abandoned Apiaries.

Any apiary found without proper identification as referenced in Rule 5B-54.013, F.A.C., is considered abandoned after which the following will apply:

(1) An inventory of the apiary will be conducted and each hive and piece of equipment tagged with an official department tag indicating the department’s label of abandonment. A Notice of Abandonment, (FDACS-08180, revised 07/17), is incorporated herein by reference and shall be used for this purpose. A local law enforcement agency and the landowner will be informed by written notice of the geographic location of such apiary. FDACS-08180 may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No.>

(2) A reasonable effort will be made by the department during the immediately succeeding ninety (90) days to locate the owner or operator of the apiary after a Notice of Abandonment is issued.

(3) At the end of the ninety days, or upon the demand of the landowner where the apiary is located, the department will move the colonies to a holding location for an additional period not to exceed six months. The department will keep records of steps taken and management administered to maintain the colonies during this period.

(4) If the department has not located the owner at the end of six months it shall destroy, auction, or make such use of the equipment as it deems appropriate.

(5) Monies collected from the auction of equipment shall be deposited in the Plant Industry Trust Fund.

(6) If, during the period in which the department has colonies or equipment in a holding location, the owner comes forward with proper proof of ownership and desires to reclaim the colonies and equipment, the department shall be reimbursed for all movement and maintenance costs of the colonies or equipment. The reimbursement monies shall be deposited by the department in the Plant Industry Trust Fund.

(7) The department may contract with any person, company, or cooperative to move or maintain the abandoned colonies.

(8) The department, upon finding an abandoned apiary with colonies or equipment infested with a regulated honey bee pest and so exposing infestation to other apiaries or colonies, shall eliminate the infestation, with such action being witnessed by a local law enforcement officer.

Rulemaking Authority 586.10(2) FS. Law Implemented 586.10(3)(h), (3)(i) FS. History—New 11-22-88, Amended 11-4-92, 6-20-00, 1-1-14, \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE NOS.:	RULE TITLES:
5B-54.001	Definitions
5B-54.003	Regulated Honeybee Pests
5B-54.004	Unwanted Races of Honeybees
5B-54.005	Regulated Articles
5B-54.006	Movement of Regulated Articles
5B-54.010	Registration with the Department
5B-54.0105	Location of Managed Honey Bee Colonies
5B-54.011	Apiary Inspection Procedures
5B-54.0115	Special Inspection and Certification Fees
5B-54.012	Apiary Inspection Conditions
5B-54.013	Identification of Ownership of Honeybee Hives
5B-54.014	Issuance of Certificates
5B-54.015	Special Inspection to Meet Requirements of Other States and for Export to Foreign Countries
5B-54.016	Interim Detention of Honey Bees and Equipment
5B-54.017	Destruction or Treatment of Infested or Infected Colonies
5B-54.0175	Irradiation of Beekeeping Equipment
5B-54.018	Compensation for Infested or Infected Colonies
5B-54.019	Procedures for Abandoned Apiaries

**NOTICE OF CORRECTION**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 43, No. 199, October 13, 2017, issue of the Florida Administrative Register. The text should have read as:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a),

Florida Statutes. As part of this analysis, the Department relied upon past experiences with honeybee colony activities and rules of this nature and feedback received from the Honey Bee Technical Council. Additionally, no interested party submitted additional information regarding the economic impact.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:	RULE TITLE:
59A-4.1265	Emergency Environmental Control for Nursing Homes

**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. 43 No. 220, November 14, 2017 issue of the Florida Administrative Register.

59A-4.1265 Emergency Environmental Control for Nursing Homes

(1) **DETAILED NURSING HOME EMERGENCY POWER PLAN.** Each nursing home shall prepare a detailed plan ("plan"), to serve as a supplement to its Comprehensive Emergency Management Plan, to address emergency power in the event of the loss of primary electrical power in that nursing home facility, which includes the following information:

(a) The acquisition of a sufficient alternate power source such as a generator(s), ~~installed and~~ maintained at the nursing home facility, to ensure that current licensees of nursing homes will be equipped to ensure the protection of resident health, safety, welfare, and comfort for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power. ~~Safe Minimum~~ indoor air temperatures in resident occupied areas shall be determined by the licensee to meet the clinical needs of residents, but shall not exceed eighty-one (81) degrees Fahrenheit.

1. The required temperature must be maintained in an area or areas determined by the nursing home facility of sufficient size to maintain all residents ~~safely comfortably~~ at all times and is appropriate for the care needs and life safety requirements. For planning purposes, no less than thirty (30) fifty (50) net square feet per resident must be provided. This may include areas that are less than the entire nursing home facility if the nursing home's facility's comprehensive emergency management plan includes relocating residents to portions of the building where the health, safety, welfare, and comfort of the residents will be maintained as required by this rule. The plan shall include information regarding the area(s) within the nursing home facility where the required temperature will be maintained.

2. The alternate power source for the equipment necessary to maintain the safe indoor air temperature required by this rule may be provided by the essential electrical system required by the Florida Building Code for Nursing Home design and construction or a ~~permanently installed~~ onsite optional standby system as defined by NFPA 70 National Electrical Code supplying normal power to the nursing home facility maintained onsite at all times when the building is occupied. If an optional standby system is used, it must be connected installed and maintained in accordance with the manufacturer's recommendations. The alternate power source and fuel supply shall be located in an area(s) in accordance with local zoning and the Florida Building Code that is not subject to flooding or damage from storm surge.

3. Each nursing home facility is unique in size; the types of care provided; the physical and mental capabilities and needs of residents; the type, frequency, and amount of services and care offered; and staffing characteristics. Accordingly, this rule does not limit the types of systems or equipment that may be used to maintain the safe indoor air temperature required by this rule for a minimum of ninety-six (96) hours in the event of the loss of primary electrical power. The plan shall include information regarding the systems and equipment that will be used by the nursing home facility required to operate the systems and equipment.

a. A nursing home in an evacuation zone pursuant to chapter 252, F, S. must maintain an alternative power source and fuel as required by this subsection at all times when the facility is occupied but is permitted to utilize a mobile generator(s) to enable portability if evacuation is necessary.

b. Facilities located on a single campus with other facilities licensed by the Agency under common ownership, may share fuel, alternative power resources, and resident space available on the campus if such resources are sufficient to support the requirements of each facility's residents, as specified in this rule. Details regarding how resources will be shared and any necessary movement of residents must be clearly described in the emergency power plan.

c. A multistory facility, whose comprehensive emergency management plan is to move residents to a higher floor during a flood or surge event, must place its alternative power source and all necessary additional equipment so it can safely operate in a location protected from flooding or storm surge damage.

(b) The acquisition of sufficient fuel, and safe maintenance of that fuel on-site at the facility, to ensure that in the event of the loss of primary electrical power there is sufficient fuel available for the alternate power source required in subsection (1)(a) to power life safety systems, critical systems, and equipment necessary to maintain safe indoor air temperatures as described in this rule for ninety-six (96) hours after the loss of electrical power during a declared state of emergency. The

plan shall include information regarding fuel source and fuel storage.

1. A nursing home located in an area in a declared state of emergency area pursuant to section 252.36, F.S. that may impact primary power delivery must secure ninety-six (96) hours of fuel. The nursing home may utilize portable fuel storage containers for the remaining fuel necessary for ninety-six (96) hours during the period of a declared state of emergency.

2. A nursing home must store a minimum of seventy-two (72) hours of fuel onsite.

~~3.1. Piped natural gas is an allowable fuel source and meets the onsite fuel requirement under this rule.~~

~~4.2. If there is a conflicting local ordinance or ordinance or other regulations that limit the amount of onsite fuel storage for the nursing home's location and the nursing home does not have access to piped natural gas restricting the maximum amount of fuel storage allowed, then the nursing home facility must develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to depletion of onsite fuel shall maintain the maximum amount of fuel allowable by that local ordinance or code.~~

(c) The acquisition of services necessary to install, maintain, and test the equipment and its functions to ensure the safe and sufficient operation of the alternate power source installed in the nursing home.

#### (2) SUBMISSION OF THE PLAN.

(a) Each nursing home licensed prior to the effective date of this rule shall submit its plan to the local emergency management agency for review and approval within thirty (30) days of the effective date of the rule. Nursing Home Facility plans previously received and approved under emergency rule 59AER17-1 will require resubmission only if changes are made.

(b) Each new nursing home shall submit the plan required under this rule prior to obtaining a license.

(c) Each existing nursing home that undergoes additions, modifications, alterations, refurbishment, reconstruction or renovations that require modification of the systems or equipment affecting the nursing home's facility's compliance with this rule shall amend its plan and submit it to the local emergency management agency for review and approval.

(3) PLAN REVIEW. Architectural and engineering plans are subject to review by the Agency's Office of Plans and Construction. The local emergency management agency shall review the emergency power plan for compliance with the subsection and may rely on the technical review of the Office of Plans and Construction. Once the review is complete, the local emergency management agency shall:



(a) Report deficiencies in the plan to the nursing home for resolution. The nursing home must resubmit the plan within ten (10) business days.

(b) Report approval or denial of the plan to the Agency and the nursing home.

~~(c) Post the approved facility emergency power plans on its website within ten (10) days of the plan's approval.~~

(4) APPROVED PLANS.

(a) Each nursing home must maintain a copy of its plan in a manner that makes the plan readily available at the licensee's physical address for review by the authority having jurisdiction. If the plan is maintained in an electronic format, nursing home facility staff must be readily available to access and produce the plan. For purposes of this section, "readily available" means the ability to immediately produce the plan, either in electronic or paper format, upon request.

(b) Within ~~two (2) business days~~ ~~forty-eight (48) hours~~ of the approval of the plan from the local emergency management agency, the nursing home facility shall submit in writing proof of the approval to the Agency for Health Care Administration.

~~(c) The nursing home shall submit a consumer friendly summary of the emergency power plan to the Agency. The Agency shall post the summary and notice of the approval and implementation of the nursing home emergency power plans on its website within ten (10) business days of the plan's approval by the local emergency management agency and update within ten (10) business days of implementation.~~

(5) IMPLEMENTATION OF THE PLAN.

(a) Each nursing home licensed prior to the effective date of this rule shall, no later than June 1, 2018 have implemented the plan required under this rule.

~~(b) The Agency shall grant an extension up to January 1, 2019 to providers in compliance with (c) below and who can show delays caused by necessary construction, delivery of ordered equipment, zoning or other regulatory approval processes. Nursing homes granted an extension must keep the Agency apprised of progress on a monthly basis to ensure there are no unnecessary delays.~~

~~(c) During the extension period, a nursing home must make arrangements pending full implementation of its plan that the residents are housed in an area that meets the safe indoor air temperature requirements of subsection (1) (a) for a minimum of ninety-six (96) hours.~~

1. A nursing home not located in an evacuation zone must either have an alternative power source onsite or have a contract in place for delivery of an alternative power source and fuel when requested. Within twenty-four (24) hours of the issuance of a state of emergency for an event that may impact primary power delivery for the area of the nursing home, it must have the alternative power source and no less than ninety-six (96) hours of fuel stored onsite.

2. A nursing home located in an evacuation zone pursuant to chapter 252, F.S. must either:

a. Fully and safely evacuate its residents prior to the arrival of the event; or

b. Have an alternative power source and no less than ninety-six (96) hours of fuel stored onsite, within twenty-four (24) hours of the issuance of a state of emergency for the area of the nursing home,

~~(d)(b)~~ Each new nursing home shall implement the plan prior to obtaining a license.

~~(e)(c)~~ Each nursing home that undergoes any additions, modifications, alterations, refurbishment, reconstruction or renovations that require modification of the systems or equipment affecting the nursing home's facility's compliance with this rule shall implement its amended plan subsequent with the completion of construction.

~~(f)(d)~~ The Agency may request cooperation from the State Fire Marshal to ~~shall~~ conduct inspections to ensure implementation of the plan in compliance with this rule. ~~The State Fire Marshal may defer and utilize the inspection conducted by the Office of Plans and Construction for implementation and approval of the facility's alternative power source and fuel storage.~~

(6) POLICIES AND PROCEDURES.

(a) Each nursing home shall develop and implement written policies and procedures to ensure that each nursing home facility can effectively and immediately activate, operate and maintain the alternate power source and any fuel required for the operation of the alternate power source. The procedures shall be resident-focused to ensure that residents do not experience complications from heat exposure, and shall include a contingency plan to transport residents to a safe facility if the current nursing home's facility's plan to keep the residents in a safe and comfortable location within the nursing home facility at or below the indoor air temperature required by this rule becomes compromised.

(b) Each nursing home shall maintain its written policies and procedures in a manner that makes them readily available at the licensee's physical address for review by the authority having jurisdiction. If the policies and procedures are maintained in an electronic format, nursing home facility staff must be readily available to access the policies and procedures and produce the requested information.

(c) The written policies and procedures must be readily available for inspection by each resident; each resident's legal representative, designee, surrogate, guardian, attorney in fact, or case manager; each resident's estate; and all parties authorized in writing or by law.

(7) REVOCATION OF LICENSE, FINES OR SANCTIONS. For a violation of any part of this rule, the Agency may seek any remedy authorized by Chapter 400, Part

II, Florida Statutes, or Chapter 408, Part II, Florida Statutes, including but not limited to, license revocation, license suspension, and the imposition of administrative fines.

(8) COMPREHENSIVE EMERGENCY MANAGEMENT PLAN.

(a) Nursing homes Facilities whose comprehensive emergency management plan is to evacuate must comply with this rule.

(b) Once the plan has been approved, the nursing home shall submit the plan as an addendum with any future submissions for approval of its Comprehensive Emergency Management Plan.

(9) NOTIFICATION.

(a) Within three (3) business days, each nursing home must notify in writing, unless permission for electronic communication has been granted, each resident and the resident's legal representative:

1. Upon submission of the plan to the local emergency management agency that the plan has been submitted for review and approval;

~~2. Upon approval of the plan by the local emergency management agency; and~~

2.3. Upon final implementation of the plan by the nursing home following review by the State Fire Marshal or the Agency's Office of Plans and Construction.

(b) The nursing home shall keep a copy of each written or electronic notification sent by the nursing home facility to the resident and resident's representative on file.

Rulemaking Authority 400.23, FS, Law Implemented 400.23, FS, History-New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:  
59A-4.1265 Emergency Environmental Control for Nursing Homes

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 220, November 14, 2017 issue of the Florida Administrative Register.

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

The Agency has determined that this rule 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 following is a summary of the revised SERC:

Several avenues were pursued to determine the estimated regulatory cost to nursing homes for compliance with the rule: estimates from a nursing home association using cost estimates gathered from their membership, a national generator supply company, and a sample review of cost information submitted by nursing homes.

The vast majority of nursing homes consist of 120 licensed beds, therefore the costs associated with a 120-bed facility is a reasonable benchmark to extrapolate an overall estimated facility cost. There are currently 685 nursing homes in Florida with 83,858 beds total across all facilities. However, as of January 5, 2018, 108 of those nursing homes have indicated they are in compliance with Emergency Rule 59AER17-1 and would be considered in compliance with this proposed rule.

Based on estimates from a nursing home trade association, new one-time costs could be as high as \$184,467,705.14 for all nursing home facilities (83,858 - 13,629 = 70,229 beds in the state x \$2,626.66 = \$184,467,705.14 total) or as low as \$34,620,000 (\$60,000 x 577 facilities = \$34,620,000). Using a proportional average, the estimated cost based on industry information is \$93,881,770.

Estimates provided by a national generator supplier indicate costs related to a 350KW stationary generator (which would be sufficient to power a 120-bed nursing home) are estimated at \$70,000 to purchase, \$70,000 to install, plus fuel costs of \$5,700 (\$145,700 total for each facility).

In response to Emergency Rule 59AER17-1, 591 nursing homes filed a request for a rule variance to allow additional time to comply with the emergency rule. In reviewing these cost estimates, the facilities sampled included a combination of facilities implementing full facility back-up power and partial, the average costs to install a generator in order to comply with the rule was approximately \$200,000 (median estimated cost was \$175,000). Based on these estimates, new one-time costs would be \$115,400,000 for all nursing home facilities (\$200,000 x 577 = \$115,400,000).

Due to the varying estimates in costs related to installing an appropriate generator, utilizing an average of the 3 estimates, the cost for the 577 remaining nursing homes to comply with the proposed rule would be \$97,783,557 [(\$93,881,770 + \$84,068,900 + \$115,400,000) ÷ 3 = \$97,783,557].

Copies of the revised SERC can be obtained by contacting Kim Stewart: [Kimberly.Stewart@ahca.myflorida.com](mailto:Kimberly.Stewart@ahca.myflorida.com)

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-30.120 Regulatory Assessment Fees; Water and Wastewater Utilities

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Seminole Waterworks in Docket No. 20170155-WU filed November 10, 2017, seeking waiver from Rule 25-30.120, Florida Administrative Code. The rule addresses regulatory assessment fees. A copy of the petition can be obtained from the Office of Commission Clerk. Comments on the petition should be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact Danijela Janjic at (850)413-6856, Office of the General Counsel, at the above address or telephone (850)413-6076.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on September 1, 2017, by Rolando Rua. The Notice of Petition for Waiver or Variance was published September 29, 2017 in Vol. 43, No. 189 of the Florida Administrative Register. Petitioner sought a waiver or variance of Rule 61G4-16.005, F.A.C., which requires for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board. The Board considered the instant Petition at a duly-noticed public meeting held on November 10, 2017, in Altamonte Springs, Florida. The Board's Order, filed on December 18, 2017, denied the petition finding that Petitioner has not established that the purpose of the underlying statute has been or will be met were the Petitioner to be granted a variance from the rule. Petitioner failed to establish that the Board's application of Rule 61G4-16.005, F.A.C., to the

Petitioner's circumstances would violate the principles of fairness or would impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039, (850)487-1395, Donald.Shaw@myfloridalicense.com.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.026: HC Credit Underwriting Procedures

NOTICE IS HEREBY GIVEN that on January 8, 2018, the Florida Housing Finance Corporation received a petition for waiver of subsection 67-21.026(10) from Boca Ciega Partners TC, LP, and approve the use of the Stipulated Sum Contract.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on January 9, 2018, the Florida Housing Finance Corporation received a petition for waiver of paragraph 67-48.0072(4)(c), F.A.C., from Society of St. Vincent De Paul South Pinellas, Inc. to extend the time line for meeting the closing deadline and to extend the time for closing by six (6) months.

A copy of the Petition for Variance or Waiver may be obtained by contacting Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

## Section VI Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF EDUCATION**

State Board of Education

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

**DATE AND TIME:** January 17, 2018, 9:00 a.m.

**PLACE:** The Capitol, Room LLO3, 400 S. Monroe St., Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The meeting agenda will consist of approval of minutes of the State Board meeting held November 28, 2017. Updates will be provided by Superintendent Moore on behalf of the Florida Association of District School Superintendents, President Holdnak on behalf of the Council of Presidents, as well as an update from Hillsborough County regarding the status of its district-managed turnaround options plans. Items for consideration include action relating to the following: Approval of New Rule 6A-1.0998271, F.A.C., Schools of Hope; Approval of A.A.A. Scholarship Foundation- Florida, LLC as a Scholarship Funding Organization for 2018-19; Approval of Step Up for Students, Inc. as a Scholarship Funding Organization for 2018-19; Schools of Hope Program Awards for Traditional Public Schools – Whole School Transformation Model (TOP-3 applications) Second Round; Consideration of an Additional Year of District-Managed Turnaround for Broward County, Collier County, Lee County, Manatee County, and Miami-Dade County; Approval of Amendment to Rule 6A-1.09430, F.A.C., Statewide, Standardized Alternate Assessment Program Requirements; Approval of Amendment to Rule 6A-1.09981, F.A.C., School and District Accountability; Approval of Amendment to Rule 6A-1.099822, F.A.C., School Improvement Rating for Alternative Schools; Approval of Amendment to Rule 6A-1.099828, F.A.C., School Accountability for Exceptional Student Education (ESE) Center Schools; Approval of Amendment to Rule 6A-6.014, F.A.C., General Requirements for Adult General Education Program; Approval of Amendment to Rule 6A-10.040, F.A.C., Basic Skills Requirements for Postsecondary Career and Technical Certificate Education; and Approval of Amendment to the contract between the State Board of Education and SEED School of Miami, Inc.

A copy of the agenda may be obtained by contacting Chris Emerson, (850)245-9601, Christian.Emerson@fldoe.org, or by visiting the Department’s website at: <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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 Chris Emerson, (850)245-9601, Christian.Emerson@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Chris Emerson, (850)245-9601, Christian.Emerson@fldoe.org.

**DEPARTMENT OF EDUCATION**

Education Practices Commission

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

**DATE AND TIME:** January 17, 2018, 2:30 p.m., phone-in teacher hearing panel

**PLACE:** U.S. toll-free 1(888)419-5570, participant code 953 537 94

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting Lisa Forbess, (850)245-0455.

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 Lisa Forbess, (850)245-0455. 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 Lisa Forbess, (850)245-0455.

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

**UPDATED NOTICE OF MEETINGS**

The Florida State College at Jacksonville District Board of Trustees (FSCJ DBOT) announces the following meetings pertaining to the Association of Florida Colleges (AFC) 2018 Trustees Commission Legislative Conference and FSCJ DBOT Business Dinner, which are open to the public:

**DATE AND TIME:** Wednesday, January 10, 2018, 9:00 a.m. – 3:00 p.m.

**PLACE:** Hotel Duval, 415 North Monroe Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
AFC Legislative Conference to include Presentations and Updates.

DATE AND TIME: Wednesday, January 10, 2018, 5:30 p.m. – 6:30 p.m.

PLACE: Andrew’s, 228 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
AFC Legislative Reception.

DATE AND TIME: Wednesday, January 10, 2018, 6:30 p.m. – 8:30 p.m.

PLACE: Andrew’s, 228 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
FSCJ DBOT Business Dinner.

DATE AND TIME: Thursday, January 11, 2018, 7:00 a.m. – 3:00 p.m.

PLACE: Capitol Building, 400 South Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
AFC Legislative Conference to include visits by Legislators and Legislative Delegation Meetings.

Should registration be requested or special accommodations required pertaining to AFC events, please advise AFC State Office by noon on Friday, January 5, 2018, by contacting AFC Director of Administration and Finance Ms. Eileen Johnson at (850)222-3222 or [ejohnson@myafchome.org](mailto:ejohnson@myafchome.org). Please note that registration fees apply.

Should attendance be requested or special accommodations required pertaining to the DBOT FSCJ event, please advise FSCJ Office of the College President by noon on Monday, January 8, 2018, by contacting FSCJ DBOT Project Coordinator Ms. Kim Sodek at (904)632-3205 or [kim.sodek@fscj.edu](mailto:kim.sodek@fscj.edu).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

The Early Learning Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 25, 2018 8:00 a.m. – 4:00 p.m. (or until business concludes)

PLACE: The Office of Early Learning, 250 Marriott Drive Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Quarterly Meeting

A copy of the agenda may be obtained by contacting: [Jessica.Fowler@oel.myflorida.com](mailto:Jessica.Fowler@oel.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: [Jessica.Fowler@oel.myflorida.com](mailto:Jessica.Fowler@oel.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact [Jessica.Fowler@oel.myflorida.com](mailto:Jessica.Fowler@oel.myflorida.com).

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

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

DATES AND TIMES: January 29, 2018 – February 1, 2018

January 29, 2018, 8:00 a.m. – 5:00 p.m., Officer Discipline Class

January 29, 2018, 5:00 p.m. – 7:00 p.m., New Training Center Directors Orientation (Tentative)

January 30, 2018, 8:00 a.m. – 5:00 p.m., Officer Discipline Class

January 30, 2018, 8:30 a.m. – 5:00 p.m., Field Services Staff meeting

January 30, 2018, 8:30 a.m. – 12:30 p.m., Florida Criminal Justice Educators Association meeting

January 30, 2018, 10:00 a.m.– 11:30 a.m., Training Center Director Scholarship Committee meeting (members only)

January 30, 2018, 12:00 p.m. – 1:00 p.m., Training Center Director Executive Board Committee meeting (members only)

January 30, 2018, 1:00 p.m. – 3:00 p.m., Training Center Director Steering Committee meeting (members only)

January 30, 2018, 3:00 p.m. – 4:00 p.m., Training Center Director Advanced Specialized Training Committee meeting

January 30, 2018, 3:00 p.m. – 4:00 p.m., Training Center Director Basic Recruit Committee meeting

January 30, 2018, 3:00 p.m. – 4:00 p.m., Training Center Director High Liability Committee meeting  
 January 30, 2018, 3:00 p.m. – 4:00 p.m., Training Center Director Rules Committee meeting  
 January 30, 2018, 4:00 p.m. – 5:30 p.m., Training Center Director open forum  
 January 31, 2018, 8:00 a.m. – 5:00 p.m., Officer Discipline Class  
 January 31, 2018, 8:30 a.m. – 12:00 p.m., Training Center Directors Association Business meeting  
 January 31, 2018, 10:00 a.m. – Open, Probable Cause Determination Hearings  
 January 31, 2018, 10:00 a.m. – 11:00 a.m., Regional Criminal Justice Selection Center Directors Association  
 February 1, 2018, 8:00 a.m. – 12:00 p.m., Officer Discipline Class  
 February 1, 2018, 8:30 a.m. – 10:00 a.m., Criminal Justice Standards & Training Commission Business meeting  
 February 1, 2018, 10:00 a.m. – Open, Criminal Justice Standards and Training Commission Officer Disciplinary Hearings  
 PLACE: Renaissance Marriott World Golf Resort, 500 South Legacy Trail, St. Augustine, Florida 32092. Front desk telephone: (904)940-8000; reservation number: 1(800)468-3571; fax number: (904)940-8008; guestroom rate: \$121.00/night plus applicable taxes for single or double; available from January 27 – February 3, 2018; extra 2 days before/after is based on availability; check-in: 4:00 p.m. and check-out: 11:00 a.m.; cancellation policy: cancellations made within 72 hours prior to arrival will forfeit one night's room and tax. Group name: FDLE Criminal Justice Standards & Training Commission meeting; hotel website: <http://www.marriott.com/hotels/travel/jaxbr-world-golf-village-renaissance-st-augustine-resort/>. Reservation website: TBD; reservation deadline: January 8, 2018; parking: complimentary self-parking.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, trust fund issues, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools.  
 A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris, (850)410-8615, [JoyceGainous-Harris@fdle.state.fl.us](mailto:JoyceGainous-Harris@fdle.state.fl.us) if you have questions about the above meetings.  
 If you have questions about the Officer Discipline Agenda, please contact Sissy Beggs, (850)410-8632, [sissybeggs@fdle.state.fl.us](mailto:sissybeggs@fdle.state.fl.us).

If you have questions about hotel accommodations, please contact Cheryl Taylor, (850)410-8657, [cheryltaylor@fdle.state.fl.us](mailto:cheryltaylor@fdle.state.fl.us).  
 The Commission packet can be viewed or downloaded after January 17, 2018, at: <http://www.fdle.state.fl.us/CJSTC/Commission/CJSTC-Home.aspx>.  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Joyce Gainous-Harris, (850)410-8615, [JoyceGainous-Harris@fdle.state.fl.us](mailto:JoyceGainous-Harris@fdle.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**STATE BOARD OF ADMINISTRATION**  
**Florida Prepaid College Board**  
 The Florida Prepaid College Board announces a public meeting to which all persons are invited.  
 DATE AND TIME: Wednesday, January 17, 2018, 2:00 p.m. ET  
 PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida, 32308  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: All responses to be publicly opened in regards to the Invitation to Negotiate, ITN 17-05, Actively-Managed Fixed Income Investment Management Services for the Stanley G. Tate Florida Prepaid College Program.  
 A copy of the agenda may be obtained by contacting The Florida Prepaid College Board, ITN Administrator by email at [ITNinfo.PrePaid@MyFloridaPrepaid.com](mailto:ITNinfo.PrePaid@MyFloridaPrepaid.com).

**REGIONAL PLANNING COUNCILS**  
**Central Florida Regional Planning Council**  
 The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.  
 DATE AND TIME: January 25, 2018, 2:00 p.m.  
 PLACE: DeSoto County Administrative Building, Commission Board Room, 201 East Oak Street, Arcadia, FL  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the HRTPO Citizens Advisory Committee (CAC).  
 A copy of the agenda may be obtained by contacting Marybeth Soderstrom, (863)534-7130, [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Marybeth Soderstrom, (863)534-7130,

msoderstrom@cfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Florida Building Commission, Accessibility Advisory Council, announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 1, 2018, 2:00 p.m.

**PLACE:** Meeting to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/735124733>. Join the conference call: United States (toll-free): 1(877)568-4106; meeting ID/access code: 735-124-733; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review of Applications for Waivers from Accessibility Requirements: 1. College Station waiver #290 - 210 E. College Avenue Tallahassee 32301.

A copy of the agenda may be obtained by contacting: Chip Sellers, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Chip Sellers, Accessibility Advisory Council, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

The Board of Accountancy announces public meetings to which all persons are invited.

**DATES AND TIMES:** Thursday, February 1, 2018, 2:30 p.m. ET, New Board member training; Friday, February 2, 2018, 9:00 a.m. ET until all business is concluded, Board meeting

**PLACE:** Department of Business and Professional Regulations - Real Estate Commission Room, North Tower, Room 901, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** New Board member training will be conducted; the Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505 or [denise.graves@myfloridalicense.com](mailto:denise.graves@myfloridalicense.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Denise Graves, (352)333-2505 or [denise.graves@myfloridalicense.com](mailto:denise.graves@myfloridalicense.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).

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For more information, you may contact Denise Graves, (352)333-2505 or [denise.graves@myfloridalicense.com](mailto:denise.graves@myfloridalicense.com).

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

**DATE AND TIME:** Thursday, January 18, 2018, 9:00 a.m.

**PLACE:** Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** **NOTICE OF TIME CHANGE:** the Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to

permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting Mike Davis at michael.davis@myfloridalicense.com. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

Board of Massage Therapy

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

DATE AND TIME: January 25, 2018, 9:00 a.m.

PLACE: Radisson Resort Orlando Celebration

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the board. This notice updates notice 19776765.

A copy of the agenda may be obtained by contacting: the Board office at info@floridasmassagetherapy.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 at 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 the Board office at info@floridasmassagetherapy.gov.

**DEPARTMENT OF HEALTH**

Board of Medicine

The Board of Medicine - Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2018, 8:00 a.m.

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819; hotel phone (407)996-6338

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee

meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website: https://www.rosenshinglecreek.com, and the public rate is \$150 per night while space is available.

A copy of the agenda may be obtained by contacting Wendy Alls at wendy.alls@flhealth.gov or calling (850)245-4135.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting Wendy Alls at wendy.alls@flhealth.gov or calling (850)245-4135. 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).

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For more information, you may contact Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

**DEPARTMENT OF HEALTH**

Board of Medicine

The Boards of Medicine and Osteopathic Medicine's Joint Committee on Medical Marijuana announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2018, 1:00 p.m.

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819; hotel phone (407)996-6338

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website: https://www.rosenshinglecreek.com, and the public rate is \$150 per night while space is available.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or calling (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at



BOM.MeetingMaterials@flhealth.gov or calling (850)245-4131. 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 Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2018, immediately following the Boards of Medicine and Osteopathic Medicine's Joint Committee on Medical Marijuana Meeting

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819; hotel phone: (407)996-6338

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website: <https://www.rosenshinglecreek.com>, the public rate is \$150 per night while space is available.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or calling (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or calling (850)245-4131. 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 Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2018, immediately following the Board of Medicine - Surgical Care/Quality Assurance Committee Meeting

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819; hotel phone (407)996-6338

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website: <https://www.rosenshinglecreek.com>, the public rate is \$150 per night while space is available.

A copy of the agenda may be obtained by contacting Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or calling (850)245-4131.

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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: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call (850)245-4131.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

The Board of Medicine –Full Board Meeting announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, February 2, 2018, 8:00 a.m.

**PLACE:** Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819; hotel phone (407)996-6338

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the Board. Meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website: <https://www.rosenshinglecreek.com>; the public rate is \$150 per night while space is available.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at [BOM.MeetingMaterials@flhealth.gov](mailto:BOM.MeetingMaterials@flhealth.gov) or calling (850)245-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at [BOM.MeetingMaterials@flhealth.gov](mailto:BOM.MeetingMaterials@flhealth.gov) or calling (850)245-4131. 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: Board of Medicine (BOM) Meeting Materials at [BOM.MeetingMaterials@flhealth.gov](mailto:BOM.MeetingMaterials@flhealth.gov) or call (850)245-4131.

**BOARD OF GOVERNORS**

The Board of Governors, State University System of Florida, announces public meetings to which all persons are invited.

**DATES AND TIMES:** January 24, 2018, 3:00 p.m.; January 25, 2018, 8:30 a.m.

**PLACE:** Florida State University, Turnbull Conference Center, Room 208, 555 W. Pensacola St., Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board and its committees will meet to conduct the regular business of the Board.

A copy of the agenda may be obtained by contacting: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL 32399-0400, and a copy will be available at [www.flbog.edu](http://www.flbog.edu).

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: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL 32399-0400, (850) 245-0466. 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: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL 32399-0400.

**SENIOR CONNECTION CENTER, INC.**

The Senior Connection Center, Inc. announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 6, 2018, 10:00 a.m.; March 6, 2018, 10:00 a.m.; May 1, 2018, 10:00 a.m.; September 11, 2018, 10:00 a.m.; October 2, 2018, 10:00 a.m.; November 6, 2018, 10:00 a.m.

**PLACE:** Senior Connection Center, 8928 Brittany Way, Tampa, FL 33619

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** 2018 Senior Connection Center Board of Director Meetings.

A copy of the agenda may be obtained by contacting Paula Nelson at [paula.nelson@sccmail.org](mailto:paula.nelson@sccmail.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Nelson at [paula.nelson@sccmail.org](mailto:paula.nelson@sccmail.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Paula Nelson, [paula.nelson@sccmail.org](mailto:paula.nelson@sccmail.org), (813)676-5583.

**CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.**

The Center for Independent Living in Central Florida, Inc. announces public meetings to which all persons are invited.

**DATES AND TIMES:** January 23, 2018, 8:00 a.m.; January 30, 2018, 8:00 a.m.

**PLACE:** 720 North Denning Drive

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** January 23: Board Executive Committee meeting to discuss the

agenda for Board Meeting; January 30: Board Meeting to discuss Board business.

A copy of the agenda may be obtained by contacting Mary Harper at (407)623-1070.

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: mharper@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### LEE COUNTY DEPARTMENT OF TRANSPORTATION

The Lee County Department of Transportation announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2018, 5:00 p.m. – 7:00 p.m.

PLACE: Bay Oaks Recreation Center, 2731 Oak Street, Fort Myers Beach, Florida, 33931

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Department of Transportation (DOT) will hold an Alternatives Public Workshop on the Big Carlos Bridge Project Development and Environment Study from 5:00 p.m. to 7:00 p.m. on Thursday, January 18, 2018 at the Bay Oaks Recreation Center at 2731 Oak Street, Fort Myers Beach, Florida, 33931.

Lee County DOT is conducting a Project Development and Environment (PD&E) Study to assess improvements to the Big Carlos Bridge on Estero Boulevard (County Road 865). The study is focused on the bridge and roadway approaches from approximately Estrellita Drive south to the entrance of Lovers Key State Park, a distance of about 0.6 miles. The study will make a recommendation as to whether the bridge should be rehabilitated or replaced. If replacement is recommended, the type and alignment of the new bridge will also be recommended.

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 Joan LaGuardia, (239) 533-2314, jlaguardia@leegov.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 Joan LaGuardia, (239)533-2314, Florida Relay Service 711, or jlaguardia@leegov.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 Kris Cella, Cella Molnar & Associates, Inc. (239)337-1071 or kcella@cella.cc.

#### POLK REGIONAL WATER COOPERATIVE

The Board of Directors of the Polk Regional Water Cooperative announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2018, 2:00 p.m. unless otherwise set by the Board

PLACE: Polk County Tourism and Sports Marketing Headquarters building in Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will hold a regularly scheduled meeting to address subjects dealing with water conservation, project selection, funding, planning, and development, all as provided within the Interlocal Agreement creating the Cooperative. The meeting is open to the public.

Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative's website, www.prwcwater.org, or may be obtained by writing to the Polk Regional Water Cooperative, c/o Polk County Manager, Attn: Diane Pannebaker, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005, or by calling Diane Pannebaker at (863)534-6444.

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: Polk County Communications Office, 330 West Church Street, Bartow, Florida, 33830 at (863)534-6090. 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 Gene Heath, Coordinator, Polk Regional Water Cooperative, (813)920-0180, GeneHeath@PRWCwater.org.

#### HATCH MOTT MACDONALD

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

DATE AND TIME: January 25, 2018, 5:30 p.m. – 6:30 p.m.

PLACE: Molino Community Complex, 6450 Highway 95A, Molino, Florida 32577

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) will hold a public hearing concerning the proposed closure of median access on State Road 95 (U.S. 29) north of the Molino Road intersection at the Dollar General Store in Escambia County.

The project intends to install a new traffic signal at the intersection of U.S. 29/Molino Road intersection at the Dollar General Store. Additional improvements will include: milling and resurfacing U.S. 29 from just south of Muscogee Road/Becks Lake Road to Atmore Highway, a total of eight miles, and perform safety and operational improvements at C.R. 196 (Barrineau Park Road), C.R. 184 (West Quintette Road) and the Molino Forestry Station. The improvements include Americans with Disability Act improvements, turn lanes, median opening and driveway modifications.

A copy of the agenda may be obtained by contacting: Hays Griffin, P.E., FDOT Project Manager, toll-free 1(888)638-0250, extension 1755, email hays.griffin@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hays Griffin, P.E., FDOT Project Manager, 1(888)638-0250, extension 1755, hays.griffin@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ian Satter, FDOT District Three Public Information Director, 1(888)638-0250, extension 1205, ian.satter@dot.state.fl.us.

#### CARPE DIEM COMMUNITY SOLUTIONS, INC.

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 18, 2018, 5:30 p.m. – 6:30 p.m. CT

**PLACE:** Paxton Agricultural Center, 22036 U.S. 331 North, Paxton

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A public information meeting will be held concerning the northern section of the U.S. 331 Project Development and Environment Study (for residents from the Liberty area to the Alabama state line).

Current and projected traffic forecasts indicate the level of service does not meet FDOT criteria to widen the roadway. Therefore, no capacity improvements are necessary at this time to accommodate the forecast 2040 peak hour volumes from Coy Burgess Loop Road to the Alabama state line.

Operational and safety improvements are being evaluated. In Paxton, the improvements include installing rectangular rapid

flashing beacons and upgrading the school zone signage at the existing crosswalk.

FDOT representatives will be available at the meeting to discuss the project, answer questions, and receive comments. Maps, drawings, and other information regarding the improvements only in Paxton will be on display.

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 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 Peggy Kelley, FDOT Project Manager, toll-free 1(888)638-0250, extension 1517, peggy.kelley@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Peggy Kelley, FDOT Project Manager, at the above phone number or email address. 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: Ian Satter, District Three Public Information Director, toll-free 1(888)638-0250, extension 1205, ian.satter@dot.state.fl.us.

#### QUEST CORPORATION OF AMERICA, INC.

The Florida Department of Transportation (FDOT) District Five announces a hearing to which all persons are invited.

**DATE AND TIME:** Thursday, January 18, 2018, 5:30 p.m.; 6:00 p.m., formal presentation

**PLACE:** Community Baptist Church, 956 S. Old Dixie Highway, Bunnell, Florida 32110

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No. 441210-1-32-01.

**Project Description:** Roundabout at State Road (S.R.) 5/U.S. 1 at Old Dixie Highway, Flagler County, Florida.

The Florida Department of Transportation (FDOT) invites all persons to a public hearing regarding the proposed design of a roundabout at the intersection of U.S. 1 and Old Dixie Highway. The purpose of the project is to improve safety and mobility at the intersection. No additional right of way will be required.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator at jennifer.smith2@dot.state.fl.us.

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 FDOT Project Manager Heidi Trivett, (386)943-5466, heidi.trivett@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the workshop/meeting by contacting FDOT Project Manager, Heidi Trivett, (386)943-5466, heidi.trivett@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, Heidi Trivett, (386)943-5466, heidi.trivett@dot.state.fl.us. You may also contact Roman Blanco, P.E., Consultant Project Manager, (904)861-2884, roman.blanco@arcadis.com.

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#### TINDALE-OLIVER & ASSOCIATES, INC. - TAMPA

The Florida Department of Transportation, in cooperation with Dade City, announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2018, 5:30 p.m. – 7:30 p.m.

PLACE: Dade City - City Hall, 38020 Meridian Avenue, Dade City, Florida 33525

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, in cooperation with Dade City, is holding this public workshop to discuss proposed improvements to be made to US 301 from Pond Avenue to north of Long Avenue/Pioneer Museum Road in Dade City. The proposed improvements include removing old asphalt and repaving the existing roadway and safety enhancements such as intersection improvements. The project also includes traffic operational improvements such as new turn lanes, turn-lane extensions at select locations, and a proposed reduction in the number of thru lanes from 3 in each direction to 2 in each direction. Buffered bicycle lanes are also being proposed.

The workshop will have an informal, open house format. No formal presentation will be made. Draft project documents will be on display and staff will be available to discuss the project, answer questions and address individual concerns. Design is expected to be completed in the Fall of 2018 and Construction is expected to begin in the Spring of 2019.

A copy of the agenda may be obtained by contacting Chris Speese, Public Involvement Coordinator, at (813)975-6405 or 1(800)226-7220

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 Chris Speese. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation service (free of charge) should contact Chris Speese, Public Involvement Coordinator, at (813)975-6405 or 1(800)226-7220 at least seven (7) working days in advance of the meeting. 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 Chris Speese, Public Involvement Coordinator, at (813)975-6405 or 1(800)226-7220.

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Inmate Sidney Marts, DC# X49222The petition seeks the agency's opinion as to the applicability of an unspecified rule related to the posting of notification to the availability of certain services as it applies to the petitioner.

The petition alleges that it seeks to resolve a controversy or answer questions regarding the application of an unspecified rule related to the posting of notification to the availability of certain services. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Betty Money, 501 S. Calhoun Street, Tallahassee, Florida 32399, betty.money@fdc.myflorida.com, (850)717-3605.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from MB Doral, LLC, d/b/a Martinibar; DS 2018-001. The petition seeks the agency's opinion as to the applicability of Sections 561.23, 561.29, 562.41(5), 561.01(11), 561.14(2), 561.57, 563.21(1), 561.42, 561.01(9), 561.17, 561.20(2)(a)(5), 562.06, 562.42, 561.56, 561.57(2), 563.021(1), Florida Statutes; and Rules 61A-2.022 and 61A-1.010 and subsection 61A-3.017(1), Florida Administrative Code, as they apply to the petitioner.

Petitioner seeks a Declaratory Statement from the Division with the following questions: Is Martinibar required to display its license at catered events pursuant to section 561.23, Florida Statutes? Is Martinibar subject to section 561.29, Florida Statutes, and Florida Administrative Code Rules 61A-3.017(1), 61A-2.022 for the actions of employees on the premises of catered events? Is Martinibar subject to section 561.29, Florida Statutes, and Florida Administrative Code Rules 61A-3.017(1), 61A-2.022 for the actions of its patrons on the premises of catered events? Is Martinibar subject to warrantless searches at catered events pursuant to section 562.41(5), Florida Statutes? Are Martinibar's catered event premises licensed premises pursuant to sections 561.01(11), 561.29, 562.41(5), Florida Statutes? Can Martinibar accept delivery of alcoholic beverages at their catered event premises from licensed distributors pursuant to sections 561.14(2), 561.57? Can Martinibar acquire malt beverages for a catered event from a distributor who's exclusive sales territory does not include the location of the catered event premises pursuant to sections 563.21(1), 562.23 Florida Statutes? Does the acceptance of the delivery of alcoholic beverages by Martinibar at catered event premises from a licensed distributor constitute a violation of section 561.42, Florida Statutes or Florida Administrative Code Rule 61A-1.010? Whether the proposed business model outlined in the petition generally conforms to the Florida Beverage Law and relevant sections of the Florida Administrative Code and specifically conforms to sections 561.01(9), 561.01(11), 561.17, 561.20(2)(a)(5), 562.06, 562.41(5), 561.23, 562.42, 561.56, 561.57(2), 563.021(1), Florida Statutes and Rules 61A-3.017, 61A-1.010, 61A-2.022 Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183;

[AGC.Filing@MyFloridaLicense.com](mailto:AGC.Filing@MyFloridaLicense.com).

Please refer all comments to: Daniel McGinn, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; DS 2018-001; DBPR Ref # 2018-001066.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Robert C. Meacham, Esq., on behalf of South Bay Builders, LLC on July 5, 2017. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published July 21, 2017 in Volume 43, No. 141 of the Florida Administrative Register. Petitioner ask the Board for clarification as to whether South Bay's bid proposal, submitted in response to the City of Vero Beach's Invitation to Bid No. 03-17/PJW, should be disqualified from consideration in light of s. 489.113(9)(a), Fla. Stat. The Board meeting was held on November 10, 2017, in Altamonte Springs, Florida. The Petitioner's request for clarification is facially insufficient and also fails to specify a particular set of circumstances. It is the Board's opinion that s. 489.113(9)(a), Fla. Stat. is not ambiguous, and declines to clarify the statute. The Board's Order, filed on December 18, 2017, declines to issue a declaratory statement in this matter.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395, or by email – [Donald.Shaw@myfloridalicense.com](mailto:Donald.Shaw@myfloridalicense.com).

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed by Robert A. Hirschl, M.D., on August 4, 2017, has been withdrawn. The Notice of Petition for Declaratory Statement was published October 24, 2017 in Volume 43, No. 206 of the Florida Administrative Register. The person to be contacted with regard to this petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3253.

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

In the Final Order in Bayfront HMA Medical Center, LLC, d/b/a Bayfront Health-St. Petersburg vs. Department of Health, DOAH Case No. 17-3157RU, the Order cites Bayfront HMA Medical Center, LLC, d/b/a Bayfront Health-St. Petersburg v. Department of Health, DOAH Case No. 17-3202. The digits in the case number were transposed. The correct citation is Bayfront HMA Medical Center, LLC, d/b/a Bayfront Health-St. Petersburg v. Department of Health, DOAH Case No. 17-2302.

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
Florida State University
NOTICE TO DESIGN/BUILD TEAMS
Florida State University announces that Qualifications Based Design/Build Services will be required for the project listed below:
Project No. FS - 265
Chieftan Way Realignment/Utilities and

Infrastructure Improvements
Tallahassee, Florida
The project consists of the planning, design, and construction of Chieftan Way in the northwest campus area between Call Street and Academic Way on the main campus of Florida State University in Tallahassee, Florida. The goal is to realign and create a new segment of Chieftan Way that is safer for pedestrians and vehicular traffic. The design of the roadway, all sidewalk/pedestrian areas, crossing plazas, drainage, lighting, landscaping, and utilities/infrastructure improvements/relocations are to be included. This project may also be expanded to include additional utilities/infrastructure, roadway work, parking, and pedestrian improvements to support this effort and the new vision for the northwest campus. All work is expected to be in place and complete by December 2018.

The Design/Build Services contract shall be in compliance with Design/Build selection provisions in Section 287.055, F.S. and 6C-14-.007, F.A.C., including design and pre- construction fees, construction related service costs and a guaranteed maximum price. The University will contract with a single contract entity whose Design/Build Team shall provide all professional services including, but not necessarily limited to programming, budgeting, space planning, design, estimating, construction services, labor, materials, and equipment required to design and construct the project. Blanket professional design liability insurance will be required for this project in the amount of \$1,000,000 and will be included in Basic Services. The development of a Guaranteed Maximum Price (GMP(s) at 100% documents will be required.

The overall project budget is approximately \$6,000,000 with a construction value of approximately \$5,000,000. The respondent becomes the single point of responsibility for performance of the construction of the project and shall publically bid all trade contracts and be capable of bonding 100% of the value of the construction contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds.

INSTRUCTIONS:
Teams desiring to provide design/build services for the project shall submit a letter of interest and a completed Florida State University "Design/Build Qualification Supplement" form (DBSQS), dated June 2014, with attachments and additional information as described in the DBSQS. Applications in any other format will not be considered. The Design/Build Services Qualifications Supplement Form and Project Fact Sheet may be obtained via the Facilities website: https://www.facilities.fsu.edu/depts/designConstr/advertisedPr ojects.php.

Each applicant/team must be properly licensed and registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design and construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team related experience, and the ability to provide service in meeting the project requirements. Florida State University strongly encourages the use of certified Small, Minority, Veteran, and Women Owned Business enterprise, (SWV/WBE) in the provision of the design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services. Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. Plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., a design/build team may not submit a proposal for this project if any member is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected design/build team must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Submit four (4) bound copies of the above requested data bound in the order listed above and one (1) electronic copy. Submittals must be received at the address listed below by 2:00 p.m., local time, on Thursday, February 8, 2018. Facsimile (fax) or electronic submittals are not acceptable and will not be considered. Applications which do not comply with the above will not be considered.

Send submittals to:

Lynetta Mills, FSU Facilities Design & Construction, 969 Learning Way, Suite 109 MMA, Tallahassee, Florida 32306-4152, phone: (850) 644-3591.

For further information on the project, contact: Darren Lucas, Project Manager, at the address above, through email at [dklucas@fsu.edu](mailto:dklucas@fsu.edu), or at (850) 644-2121.

The University reserves the right to suspend or discontinue the selection process at any time and return or reject any or all

submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

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#### DEPARTMENT OF EDUCATION

New College of Florida

Invitation to Submit Proposal for the Supply/Delivery of an RTU and AHU

#### PUBLIC NOTICE

LEGAL NOTICE OF AN INVITATION TO SUBMIT PROPOSALS FOR THE SUPPLY AND DELIVERY OF AN RTU AND AHU

A PUBLIC ANNOUNCEMENT FOLLOWING PROCEDURES PER F.S. 287.057 4 (C) TANDEM CONSTRUCTION ON BEHALF OF NCF INVITES VENDORS TO SUBMIT A PROPOSAL TO SUPPLY AIR CONDITIONING EQUIPMENT AS PART OF A MAJOR REFURBISHMENT OF A LABORATORY CENTRIC BUILDING

The Board of Trustees of New College of Florida (NCF) announces that proposals will be required from qualified vendors licensed in the State of Florida to provide equipment to be included by others within the Heiser Natural Sciences Building air conditioning refurbishments.

Project: NCF – Heiser HVAC Refurbishment Advance Purchase RTU & AHU

Address: 5800 Bay Shore Road, Sarasota, FL 34243

Bid Due: 01/26/2018, 2:00 p.m.

Scope: Tandem Construction is soliciting proposals on behalf of the Owner, for the Advanced Purchase of the RTU and AHU for the Heiser North and West wing HVAC Refurbishment.

Refer to RFP in the Online Plan Room for further information and instructions.

SEALED RESPONSES ARE REQUIRED TO BE DELIVERED BY THE DUE DATE AND TIME TO TANDEM CONSTRUCTION AS IDENTIFIED IN THE RFP. ENVELOPE TO BE CLEARLY MARKED WITH THE FOLLOWING:

Project Name: NCF Heiser HVAC Refurbishment Advanced Purchase of RTU & AHU

Bid Date: 1/26/2018

Bid Time: 2:00p.m.

Vendor Name:

Plans:

PRE-PURCHASE RFP PACKAGE IS AVAILABLE AT THE ONLINE PLANROOM (PIPELINE). CONTACT TANDEM CONSTRUCTION [Terie.leonard@tandemconstruction.com](mailto:Terie.leonard@tandemconstruction.com) FOR ACCESS KEY.

Other Info:



PRE - SUBMISSION MEETING: January 19, 2018, 10:00 a.m.  
 The meeting will be held at the Roland V. Heiser Natural Sciences Building on the New College Campus.  
 Questions / Request for further Information due date: Tuesday, January 23, 2018, 2:00 p.m. Submit using online plan room (Pipeline).  
 New College of Florida is an Equal Access/Equal Opportunity Employer

64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.100	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

**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 3:00 p.m., Wednesday, January 3, 2017 and 3:00 p.m., Tuesday, January 9, 2018. 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>
41-2.010	1/9/2018	1/29/2018
61G3-19.013	1/4/2018	1/24/2018
61G7-10.001	1/4/2018	1/24/2018
61G7-10.0011	1/4/2018	1/24/2018
61G7-10.0012	1/4/2018	1/24/2018
61G7-10.0014	1/4/2018	1/24/2018
64B11-2.003	1/4/2018	1/24/2018
64B13-4.001	1/4/2018	1/24/2018
64B13-4.004	1/4/2018	1/24/2018
64B16-27.700	1/8/2018	1/28/2018

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****

**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.