

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Engineers

- RULE NOS.: RULE TITLES:
- 61G15-34.002 Definitions
- 61G15-34.003 Design of Heating Ventilation and Air
Conditioning Systems
- 61G15-34.004 Design of Process and Fluid Flow Systems
- 61G15-34.005 Design of Heat and Energy Transfer
Systems
- 61G15-34.006 Design of Material and Human Transfer
Systems
- 61G15-34.007 Design of Plumbing Systems
- 61G15-34.008 Design of Mechanical Machines and Motion
Systems
- 61G15-34.009 Design of Instrumentation and Control
Systems
- 61G15-34.010 Design of Fuel Gas Systems

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule language.

SUBJECT AREA TO BE ADDRESSED: Update rule language.

RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033 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, or by email: zraybon@fbpe.org.

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 HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:
64B7-27.100 Fees

PURPOSE AND EFFECT: The Board propose the rule amendment to update the rule language to read licensure or certification instead of applicants from a board approved massage program.

SUMMARY: Clarification of application fee.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), 456.036(7), (8), 456.065(3), 480.035(7), 480.044 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), (10), 456.036(4), 456.065(3), 480.043(7), 480.044 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin

#C06, Tallahassee, Florida 32399-3253, or by electronic mail to: Kama.Monroe.@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-27.100 Fees.

(1) Fees applicable to massage therapists:

(a) Application fee for licensure or certification applicants ~~graduating from a board approved massage program~~: \$50.00.

(b) - (h) No change.

(2) - (3) No change.

Rulemaking Authority 456.013(2), 456.025(1), 456.036(7), (8), 456.065(3), 480.035(7), 480.044 FS. Law Implemented 456.013(2), 456.025(1), (10), 456.036(4), 456.065(3), 480.043(7), 480.044 FS. History—New 2-26-12, Amended 4-30-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 9, 2020

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-14.001	Definitions
65C-14.003	Application Packet and Licensing Documents
65C-14.006	Administration and Organization
65C-14.007	Buildings, Grounds, Equipment, and Interior Accommodations
65C-14.010	Safety, Sanitation and Food Service Requirements
65C-14.014	Health and Medical Services
65C-14.017	Child Abuse and Neglect and Incident Notification Procedures
65C-14.018	Individual Needs and Rights of Children in Care
65C-14.022	Child Records and Confidentiality Requirements
65C-14.023	Personnel and Staffing Requirements
65C-14.040	Admission, Placement, and Ongoing Services
65C-14.048	Discharge Planning and Aftercare Services
65C-14.116	Administrative Actions, Appeals and Closures
65C-14.117	Standards for Contracted Emergency Shelters
65C-14.118	Standards for Runaway Shelters
65C-14.1181	Standards for Maternity Homes
65C-14.1182	Standards for Wilderness Camps
65C-14.1183	Standards for At-Risk Homes
65C-14.119	Standards for Safe Houses
65C-14.120	Record Keeping for Children in Safe Houses
65C-14.121	Standards for Qualified Residential Treatment Programs
65C-14.122	Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs
65C-14.123	Standards for Traditional and Residential Homes
65C-14.124	Licensing Process and Procedures
65C-14.125	Foster Care Referrals and Investigations

PURPOSE AND EFFECT: The Department intends to amend rule chapter 65C-14, F.A.C., to align with the federal requirements outlined in the Family First Prevention Services Act (FFPSA) for Florida’s group care providers.

SUMMARY: Amendments include the addition of new FFPSA group care program types and requirements. Existing language has been adjusted as well as new definitions added to ensure licensing requirements are clear and concise for providers.

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 used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 381.004(2)(e)11., 409.145(5), 409.1678(2)(c)7., (2)(e), 409.175(5), 409.441, 435.01, F.S.

LAW IMPLEMENTED: 381.004(2), 409.145(2), 409.1678, 409.175, 409.441, 435.05, F.S.

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: Jodi Abramowitz. Jodi can be reached at 850-717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-14.001 Definitions.

(1) “At-Risk house” means a child-caring agency providing care and support services to children and youth who are at risk of becoming sex trafficking victims.

(2) “Campus” means a characteristic describing a child-caring agency that has multiple buildings, units, or cottages on the same property.

(3) “Child or youth at risk of sex trafficking” means an individual who has experienced trauma, such as abuse, neglect, and/or maltreatment, and presents with one or more of the accompanying risk factors:

a. History of running away and/or homelessness.

b. History of sexual abuse and/or sexually acting out behavior.

c. Inappropriate interpersonal and/or social media boundaries.

d. Family history of or exposure to human trafficking.

e. Out-of-home placement instability demonstrated by repeated moves from less restrictive levels of care.

(4) “Child-caring agency,” as defined in this rule chapter, means a child-caring institute licensed by the Department to

provide care and supervision to children and youth in a group home, facility, shelter, treatment program, or wilderness camp.

(5) “Direct care staff” means personnel who are employed, contracted, or volunteer as a caregiver or have unsupervised contact with children.

(6) “Emergency shelter” means a child-caring agency that provides 24-hour care and supervision for youth in need of shelter on a temporary basis.

(7)(4) No change.

(8) “Florida Association of Christian Child-Caring Agencies (FACCCA)” means the authority responsible for the registration and oversight of faith-based residential group homes, family foster homes, and adoption agencies.

(2) through (3) are renumbered (9) through (10) No change.

(11) “Governing body” means the board of trustees, the partnership, the corporation, the association, or the person or group of persons who maintain and control the provider organization and which is legally responsible for the operation of the provider organization.

(12) “Maternity home” means a child-caring agency that provides care and specialized support for prenatal, post-partum, or parenting youth.

(13) “Non-direct care staff” means personnel who are employed, contracted, or volunteer in positions that are not in a caregiver role and do not have direct or unsupervised contact with children.

(14) “Public institution” means a child-caring agency owned or run by the County, State, or Federal Government that provides 24-hour care.

(15) “Residential group home” means a child-caring agency that provides care to meet the physical, emotional, and social needs of children.

(16) “Runaway shelter” means a child-caring agency that provides 24-hour care and supervision for children who are in conflict with their parents or who runaway or are recovered from a missing child episode.

(17) “Safe house” means a child-caring agency certified by the Department that provides 24-hour care and supervision to care for sexually exploited children, as outlined in section 409.1678, F.S.

(4) through (5) are renumbered (18) through (19) No change.

(20) “24-hour care and supervision,” as used in this rule chapter, means a child-caring agency whose staffing model provides 24-hour supervision for children based on the program’s required staffing ratio, also known as shift care.

(21) “Traditional group home” means a child-caring agency that provides care to meet the physical, emotional, and social needs of children. A traditional group home is located in a single family or multi-family community with a licensed bed capacity no greater than 14.

(6) through (8) are renumbered (22) through (24) No change.

(25) “Unaccompanied alien children home (UAC),” as defined in this rule chapter, means a child-caring agency that provides care for unaccompanied alien minors, as outlined in rule chapter 65C-9, F.A.C.

(26) “Unaccompanied refugee minor program (URMP)” means a federally funded and state administered program that provides care of unaccompanied refugee minors, as further defined in rule 65F-1.001, F.A.C.

(27) “Qualified residential treatment program (QRTP)” means a child-caring agency that provides care for youth who have serious emotional or behavioral disorders or disturbances.

(28) “Wilderness camp” means a child-caring agency that provides care to meet the physical, emotional, and social needs of children.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History—New 7-1-87, Amended 9-19-90, Formerly 10M-9.003, Amended 11-30-97, 10-20-16. Amended _____

65C-14.003 Application Packet and Licensing Documents

~~(1)~~ Licensing License application packets for a residential child-caring agency shall be uploaded into the states official system of record and include the following:

~~(1)(a)~~ The “License Application for Child-Caring and Child-Placing Agencies,” CF-FSP 5412, (insert date) August 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX-07454>; The application shall be signed by the licensee who is the executive director exercising authority over and has the responsibility for the operation, policies, and practices of the agency.

~~(2)(b)~~ The “Community Residential Homes Determination of Need and Licensing Status” form, CF 1785, (insert date) October 2005, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX-07449>; and,

~~(3)(e)~~ Agencies providing For applications for group homes to provide care for one to six or seven to 14 children shall complete the “Community Residential Homes Local Ordinance Certification,” CF 1786, May 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07450>. This application form certifies to the Department that the proposed group home meets the dispersion and notification requirements of Chapter 419, F.S.

(4) For child-caring agencies obtaining federal grants, loans, contracts, property, discounts, or other federal financial assistance, the executive director shall sign the “Civil Rights Certificate,” CF 707, (insert date), incorporated by reference

and _____ available _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(5) At initial licensure, the child-caring agency serving dependency youth shall obtain a statement of need from the local community-based care agency indicating the need for residential care and services, and specify the bed capacity.

~~(6)(d) Need for Service.~~ The child-caring agency shall provide a description of the geographic area the child-caring agency serves or intends to serve with the specific services it provides or proposes to provide. Applicants who apply for an initial license shall furnish evidence that the services will be used by referral sources or other documentation of the need for the services which shall be verified by the Department.

~~(7)(e)~~ Disaster preparedness and evacuation plan. The written plan shall include the components required in subsection 65C-14.010(7), F.A.C. 65C-14.010(11), F.A.C.

(8) Statement of purpose.

(9) Organizational chart.

(10) Board members.

(11) Annual budget and financial audit.

(12) Business registration.

(13) Annual health and fire inspection.

(14) Confirmation of local zoning notification.

(15) Radon test results, if applicable.

(16) Verification of car and liability insurance.

(17) Menus approved by the registered dietician.

(18) Verification of accreditation, as applicable.

(19) Applicant reference check from the current or previous licensing authority, if licensed in another region or state.

(20) Certification of registered dietician.

(21) Documentation of six (6) months of operating expenses (initial licensure only).

(22) Employee roster.

(23) Title IV-E Maintenance Budget, if serving dependency youth.

~~(2) All application forms shall be signed by the person or persons exercising authority over the operation, policies and practices of the agency.~~

~~(3) The facility shall conform to all applicable state~~

~~(4) The Regional Licensing Authority (the Department) shall conduct a review of the application packet, facility, and all required documentation to ensure compliance with all rules in Rule Chapter 65C-14, F.A.C., prior to issuance of a license.~~

~~(5) A license is only valid for the facility located at the address documented on the license.~~

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(6) FS. History—New 7-1-87 Amended 9-19-90, 2-17-93, Formerly 10M-9.005, Amended 10-20-16, 1-2-18. Amended _____

65C-14.006 Administration and Organization.

(1) No change.

(2) Business Registration. Child-caring agencies shall be registered to conduct business under Florida law. Incorporation. Agencies incorporated outside of the State of Florida shall be authorized to do business under Florida law.

(3) Governing Body.

~~(a)~~ Each independent child-caring agency shall have a governing body, ~~which exercises authority over and has responsibility for the operation, policies, and practices of the agency.~~

~~(a)(b)~~ No change.

~~(b)(4)~~ No change.

(a) through (b) are redesignated 1. through 2. No change.

~~(c)(5)~~ No change.

~~(4)(6)~~ Responsibilities of the Governing Body.

(a) Employ a qualified executive director, as prescribed in subsection ~~65C-14.023(8), F.A.C. 65C-14.023(15), F.A.C.~~, and delegate responsibilities to that person for the administration and operation of the residential child-caring agency.

(b) through (g) No change.

~~(7) Municipal, county or other governmentally operated residential child caring agencies subject to licensing under Section 409.175, F.S., shall, within their administrative structure and as governed by other federal, state and local laws, provide for the duties and responsibilities described in this section.~~

~~(5)(8) Grievance.~~ The child-caring agency shall have a written and posted grievance procedure which allows children in care or others to make complaints without fear of retaliation.

(a) through (c) No change.

~~(6) Organizational Chart.~~

~~(a)(9)~~ The child-caring agency shall maintain a current organizational organization chart showing the administrative structure including the lines of authority. The organizational chart shall indicate direct care roles and non-direct care roles. This chart shall be available to the Department. The child-caring agency shall also maintain an employee roster indicating staff with direct and non-direct roles.

~~(b)~~ The child-caring agency shall provide written notification to the Department's regional licensing team within 30 days of changes in the agency's executive director, statement of purpose, admission criteria, business name, address, or licensing setting.

~~(7)(10) Finance.~~ The child-caring agency shall provide written documentation that it has sufficient funds to meet all requirements for licensure.

~~(a)~~ Facilities beginning operation shall provide evidence of sufficient funding for operation of the program for at least six (6) months.

~~(b)(11)~~ No change.

~~(c)(12)~~ The child-caring agency shall have financial records audited annually.

1. Financial audits are required for nonprofit or for-profit child-caring agencies who expend equal to or in excess of \$750,000 of state financial assistance, as outlined in section 215.97, F.S. Annual audits must be conducted by an independent certified public accountant (CPA) licensed pursuant to chapter 473, F.S.

2. Child-caring agencies who do not meet the audit threshold must provide proof of a financial review conducted by external auditors.

(13) through (14) are redesignated (d) through (e) No change.

(8) Municipal, county, or other governmentally operated residential child-caring agencies subject to licensing under section 409.175, F.S., shall, within their administrative structure and as governed by other federal, state, and local laws, provide for the duties and responsibilities described in this section.

~~(15) The child caring agency shall provide written notification within 30 days to the Department of changes in the agency's executive director, statement of purpose or admission criteria.~~

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)1., 8. 409.175(5)(a)1., 8. FS. History—New 7-1-87, Formerly 10M-9.015, Amended 10-20-16.

65C-14.007 Buildings, Grounds, Equipment, and Interior Accommodations.

(1) Grounds, Equipment, and Recreational Areas. Staff sleeping space shall be separate from those of the children but in close enough proximity to allow for supervision.

~~(a)(2)~~ The grounds shall be well kept.

~~(b)~~ Indoor and outdoor recreation areas shall be provided with equipment and safety measures designed for the needs of the resident children according to the age, physical and mental ability of the children.

(3) through (4) are redesignated (c) through (d) No change.

(e) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction and shall be maintained in a structurally sound condition.

(f) Outdoor recreational areas shall be well-drained and kept free of litter and trash.

~~(2) Interior Accommodations.~~

~~(a)(5)~~ The facility shall be decorated and furnished to create a homelike environment. Furnishings shall be safe, easy to maintain, and selected for their suitability to the age and development of the children in care.

(6) through (11) are redesignated (b) through (g) No change.

1.(a) No change.

1. through 2. are redesignated a. through b. No change.

(b) through (c) are redesignated 2. through 3. No change.

(h)(12) Bedrooms.

1.(a) No change.

2.(b) Child-caring agencies shall provide each child with a closet or chest of drawers for clothing and personal belongings which shall be reserved solely for the individual child's use. ~~Wilderness camps have the option of providing alternate storage.~~

3.(e) Child-caring agencies shall provide each child with a safe, permanent, and comfortable bed and mattress in good repair. The beds shall be no shorter than the child's height and no less than 30 inches wide. Where bunk beds are used, there shall be sufficient room to allow the occupants of both bunks to sit up in bed. Cribs with drop-down sides, foldaway beds, and cots shall not be utilized.

4.(d) Children over 36 months of age shall not share a bedroom with a child of a different gender unless efforts are being made to maintain a sibling group or doing so is required for the safety or wellbeing of each child. The group home, licensing agent, and case manager shall work together in determining arrangements for the safety and best interests of each child involved and obtain written approval from the community-based care agency. Rationale for any decision made for children over the age of 36 months to share a bedroom with a child(ren) of a different gender shall be documented in the state's official system of record FSN.

5.(e) Clean sheets, pillows, pillow cases, and blankets shall be provided to each child upon arrival. Sheets and pillowcases shall be changed at least once a week.

6. Children shall have the opportunity to personalize and decorate their bedrooms with furnishings and possessions. Personalizations should not display any offensive or discriminatory material.

(i) Laundry. Laundry facilities shall be located in an area separate from areas occupied by children. If children are allowed to participate in the laundering of their personal items, space for sorting, drying, and ironing shall be made available.

(3) Buildings.

(13) through (18) are redesignated (a) through (f) No change.

(g) All interior areas of the facility occupied by children shall be temperature-controlled in a manner conducive to comfort, safety, and privacy. Table fans and floor fans shall have protective covers.

(h) The child-caring agency seeking restitution for injury or damages caused by foster children shall submit a state institutional claim for damages with the applicable child welfare professional to file on behalf of the agency, as referenced in section 402.181, F.S..

~~(19) Children shall have the opportunity to personalize and decorate their bedrooms with furnishings and possessions.~~

~~(20) For wilderness camps:~~

~~(a) A wilderness camp shall only be established at a location where land is properly drained.~~

~~(b) The location of a camp shall not present a fire, health or safety hazard.~~

~~(c) Non permanent structures used for sleeping shall be located on dry land. The sleeping structure shall promote comfort and protection from weather and insects and have a floor which is smooth, kept in a clean condition and in good repair.~~

~~(d) Permanent sleeping structures shall have roofs, exterior walls, doors and windows which are weathertight and watertight and shall be in clean condition and in good repair.~~

~~(e) Structures shall be covered with durable flame proof material.~~

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)2., 3. 409.175(5)(a)2., 3. FS. History—New 7-1-87, Formerly 10M-9.016, Amended 10-20-16. Amended

65C-14.010 Safety, Sanitation, and Food Service Requirements.

(1) Inspections. Prior to the issuance of a license or to relicensing, the home or facility shall be inspected by a representative from of the Department, the Department of Health, or the county health unit, and the local fire department, or persons trained in environmental health practices. ~~by the office of the State Fire Marshal in fire prevention and safety in accordance with state or local ordinances and codes.~~ Written approval of satisfactory health and sanitary conditions ~~and fire prevention and protection measures~~ must be on file. All ~~residential~~ child-caring facilities must comply with the health and sanitation standards including a maximum hot water temperature of 120 degrees Fahrenheit at the kitchen and bathroom faucets and in bathing areas to prevent scalding, as set forth in rRule cChapter 64E-12, F.A.C.

(2) Radon Testing.

(a) Child-caring agencies shall verify with the Department of Health if they are required to test for radon based on the home or facility location and building type.

(b) Child-caring agencies required to test for radon shall follow the protocols and procedures outlined by the Department of Health.

(c) Child-caring agencies can perform radon testing through state certified individuals or businesses or by using a radon testing kit provided that the instructions are followed.

(3)(2) Fire Safety.

(a) through (b) No change.

(c) Procedures for fire and other emergency situations, including the route of evacuation, shall be posted in

conspicuous places and shall be reviewed with staff and children on a scheduled basis. The evacuation map shall:

1. Clearly identify all exits of the home, i.e. doors, windows;

2. Identify the location of any emergency equipment, such as fire extinguishers or first aid kits; and

3. Identify safe assembly points in the event of an evacuation.

(d) through (e) No change.

~~(4)(3)~~ Transportation.

(a) through (c) No change.

~~(4) Recreational areas.~~

~~(d)(a) The child-caring agency recreational area shall provide confirmation of liability insurance, be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.~~

(e) The child-caring agency shall develop written procedures on the use of vehicles to include the accountability of passengers.

~~(b) Outdoor recreational areas shall be well drained and kept free of litter and trash.~~

(5) Swimming Pools, and Aquatic Activities, and Bodies of Water.

(a) All ~~residential~~ child-caring agencies with swimming pools, spas, or open water hazards must have a person on staff who has completed a water safety course administered by American Red Cross, YMCA, or a certified a nationally recognized water safety provider.

(b) Swimming pools located on the premises of a detached one-family or two-family dwelling or a one-family townhouse not more than three stories high shall comply with the safety feature requirements of the Residential Pool Safety Act, Section 515.27(1), F.S. Facilities with swimming pools licensed prior to the enactment of the Residential Pool Safety Act shall be considered to have met this requirement.

(c) Child-caring agencies serving eight or more residents who do not meet the criteria outlined in subsection (5)(b) shall comply with the required safety features for public swimming pools set forth in section 514.0315, F.S.

~~(d)(e)~~ No change.

(e) The level of supervision for children in close proximity to any body of water, including swimming pools, shall be made by the licensed out-of-home caregiver in accordance with section 39.4091(2)(c), F.S.

~~(f)(d)~~ Lifesaving equipment shall be provided during aquatic activities and shall be immediately accessible in case of an emergency. All child-caring agencies with swimming pools, spas or near open water hazards must have lifesaving equipment available and accessible in case of an emergency. Minimum equipment shall include the following items:

1. through 3. No change.

(e) through (f) are redesignated (g) through (h) No change.

(i) Above ground pools with steps or ladders shall have them secured, locked, or removed when the pool is not in use.

(j) Wading pools shall be set up and maintained according to the manufacturer's instructions. Wading pools shall be emptied and stored when not in use and shall be filled with clean water before each use.

(6) Other Safety Measures.

(a) The facility shall have communication access available for use in the facility at all times by staff and youth. Methods of communication may include mobile or landline telephones, computers for video communication or conferencing, or mobile devices equipped to make phone calls. Emergency numbers, such as 911, poison control, and the Florida Abuse Hotline, shall be posted in a clear and conspicuous location in the facility.

(b) The executive director or program director and/or house parent shall be required to sign the "Acknowledgement of Firearms Safety Requirements" form CF-FSP 5343, February 2015, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07453>.

(c) All pets must be assessed for any safety concerns involving interaction with children in the home.

(7) Disaster Preparedness and Evacuation Plan.

(a) Each licensed child-caring agency shall have a current written disaster preparedness and evacuation plan for each facility in the event of a natural or man-made disaster. The plan shall include:

1. An outline of the facility identifying all emergency exits;

2. The location to which the agency intends to relocate the children and caregivers;

3. Emergency contact information for caregivers and the director of the agency;

4. A process for notifying the community-based care lead agency when relocation is necessitated, to include out of state travel; and

5. A list of emergency supplies maintained at each facility.

(b) The disaster preparedness and evacuation plan shall be updated at re-licensure and whenever any changes are made during the licensure year.

(c) Each licensed child-caring agency shall follow the directives of its local emergency management center.

(d) The child-caring agency shall maintain ongoing communication with the regional licensing team throughout an evacuation until their safe return.

(e) The child-caring agency shall notify the regional licensing team within one (1) calendar day upon learning of any

structural damages to the property or building, including loss of electricity and water.

(f) The regional licensing team is responsible for conducting an on-site visit, within five (5) business days or as soon as it is safe to do so in the event travel is restricted, to inspect and assess any damages prior to children re-occupying the property.

(g) The child-caring agency shall develop a plan to shelter-in-place in the event of an emergency that requires the facility to lockdown.

(8) Communicable Disease Prevention and Preparedness

(a) The child-caring agency shall develop policies and procedures outlining admission criteria, prevention measures to prevent the spread of a pandemic or epidemic, accommodations for visitation and schooling, capacity and ratio, plans for emergency volunteers, and safety measures for children and staff.

(b) In the event of a pandemic or epidemic, the child-caring agency shall follow guidelines issued by the Centers for Disease Control and Prevention (CDC), World Health Organization (WHO), Florida Department of Health (DOH), or other health entity responsible for the prevention and control of disease in the community. To limit the spread of germs and prevent infection such precautions include, but are not limited to:

1. Avoiding close contact with people who are sick;
2. Covering mouth and nose when coughing or sneezing to prevent others from getting sick;
3. Washing your hands often to protect from germs;
4. Avoid touching your eyes, nose, or mouth;
5. Clean and disinfect frequently touched objects and surfaces; and

5. Practicing good hygiene habits.

(c) The child-caring agency shall ensure all youth have up to date consent forms for medical care and treatment.

(9)(6) Food Service.

(a) The child-caring agency shall have a procedure for the overall management of the food service. All menus shall be approved by a ~~professionally~~ registered dietitian for the particular population of the group home. Residential programs participating in the United States Department of Agriculture Food and Nutrition Service shall be considered to have met this requirement.

(b) through (d) No change.

(7) Laundry facilities shall be located in an area separate from areas occupied by children. If children are allowed to participate in the laundering of their personal items, space for sorting, drying, and ironing shall be made available.

(8) The facility shall have telephones, centrally located and readily available for staff use in each living unit of the facility. Emergency numbers, such as 911, poison control, and the child abuse registry, shall be posted by each telephone. In lieu of this

~~requirement, wilderness camps and short term wilderness programs shall have a system in place that provides for an immediate response in case of an emergency. The system must include the ability to immediately notify appropriate agency staff, police, fire department, physician, poison control center, ambulance or other emergency services that may be needed.~~

~~(9) If firearms are present in the facility, the program director and house parent, when applicable, shall be required to sign the "Acknowledgement of Firearms Safety Requirements" form CF FSP 5343, February 2015, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 07453>.~~

~~(10) All pets must be current on vaccinations as required in Section 828.30, F.S.~~

~~(11) Disaster Preparedness and Evacuation Plan.~~

~~(a) Each licensed child caring agency shall have a current written disaster preparedness and evacuation plan for each facility in the event of a natural or man-made disaster. The plan shall include:~~

- ~~1. The location to which the agency intends to relocate the children and caregivers;~~
- ~~2. Emergency contact information for caregivers and the director of the agency;~~
- ~~3. A process for notifying the community based care lead agency when relocation is necessitated; and,~~
- ~~4. A list of emergency supplies that shall be maintained at each facility.~~

~~(b) The disaster preparedness and evacuation plan shall be updated at re-licensure and whenever any changes are made during the licensure year.~~

~~(c) Each licensed child caring agency shall follow the directives of its local emergency management center. Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)2-3, 409.175(5)(a)2-3. FS. History—New 7-1-87, Formerly 10M-9.019, Amended 6-3-12, 10-20-16, 1-2-18. Amended _____~~

65C-14.014 Health and Medical Services.

(1) General.

~~(a)(2) The child-caring agency facility shall have a staff member on duty trained to administer first aid, including cardiopulmonary resuscitation (CPR), at all times.~~

~~(b)(3) The child-caring agency shall ensure assure that a first aid kit is available to staff members in each living unit with contents consistent with the American Red Cross recommendations guidelines and the needs of children in care. The first aid kit shall be stored in a location accessible to adults, however, out of reach of young inaccessible to the children in care. Contents shall be restocked as needed, and any expired products shall be discarded and replaced.~~

(4) through (6) are redesignated (c) through (e) No change.

~~(f)(7)~~ All child-caring agencies shall establish and maintain linkages and cooperative agreements with community agencies, out-of-area programs, or individuals for services not directly provided by the agency, including a plan for handling emergency medical and dental needs of clients.

~~(g)(8)~~ All child-caring agencies shall have written procedures for the administration of medications, in case of emergencies or life threatening situations, including arrangements for emergency transport services for clients. Plans for provision of supervision must be made in cases of emergency when on duty staff are required to accompany a child to a hospital emergency room.

~~(2)(9)~~ Medication.

(a) All medicines and drugs, including prescription and over-the-counter, shall be kept securely locked.

(b) through (d) No change.

~~(3)(10)~~ Medical Information and Health Screenings.

(a) The child-placing agency shall obtain available medical information and consents prior to admission of a child.

~~(b)(11)~~ No change.

(a) through (c) are redesignated 1. through 3. No change.

~~(c)(12)~~ No change.

~~(d)(13)~~ The child-caring agency shall have a written detailed comprehensive policy for preventive, routine, emergency, and follow-up medical and dental care for all children.

~~(e)(14)~~ The child-caring agency is responsible for meeting the physical health needs of each child in its care.

(a) through (b) are redesignated 1. through 2. No change.

~~3.(e)~~ The child-caring agency shall ensure pregnant youth have prenatal and postnatal care, if not served in a maternity home.

(15) through (16) are redesignated (f) through (g) No change.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)2., 3., 9. 409.175(5)(a)2., 3., 9. FS. History—New 7-1-87, Formerly 10M-9.023, Amended 10-20-16. Amended

65C-14.017 Child Abuse and Neglect and Incident Notification Procedures.

(1) No change.

(2) The child-caring agency shall require each staff member to read and sign a statement which recites section 39.201, F.S., and outlines the staff member’s responsibility to report all incidents of child abuse and neglect.

(2) through (4) are redesignated (3) through (5) No change.

~~(5) The child caring agency shall require each staff member to read and sign a statement which states the child abuse and neglect laws and outlines the staff member’s responsibility to report all incidents of child abuse and neglect.~~

(6) through (7) No change.

(8) If a child who is being served voluntarily and is not in the care and custody of the Department is involved in any critical incident, the program director or designee shall notify the parents or legal guardian directly and the Department by submission of the child-caring agencies internal incident report within one (1) business day. “Statewide Critical Incident Report,” CF FSP 5262, April 2007, incorporated by reference and ~~available~~ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07452>.

(9) No change.

(10) Copies of incident reports shall be provided upon request to the caregiver or legal custodian to include the community-based care agency, the Department, and parent(s). Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)1., 10. 409.175(5)(a)1., 10. FS. History—New 7-1-87, Formerly 10M-9.026, Amended 10-20-16. Amended

65C-14.018 Individual Needs and Rights of Children in Care.

(1) through (4) No change.

(5) There shall be daily time for youth to pursue privacy and individual interests and time pursuits for privacy each child in care.

(6) The child-caring agency shall maintain a system of accounting for the whereabouts of children.

(6) through (10) are renumbered (7) through (11) No change.

(12) The child-caring agency shall treat all youth with respect, and understand the child’s history, needs, and risk factors associated with child abuse, neglect and trauma.

(13) The child-caring agency shall allow youth to have scheduled contact with family and persons with meaningful relationships so long as there is no violation of an existing court order.

(14) Youth shall be permitted to contact their case manager and/or legal guardian, guardian ad litem, attorney ad litem, and Children’s Ombudsman.

~~(15)(14)~~ No change.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)2., 12., 409.175(5)(a)2., 12., (e) FS. History—New 7-1-87, Formerly 10M-9.027, Amended 10-20-16. Amended

65C-14.022 Child Records and Confidentiality Requirements.

(1) The child-caring agency shall maintain a permanent record register of all resident children and document efforts to obtain the information which shall be made available to the Department upon request. The record shall include the following:

(a) through (d) No change.

(2) The child-caring agency shall maintain individual records for each child and document efforts to obtain the

information. The child's record ~~in care which~~ shall include the following:

(a) through (b) No change.

(c) A social history of the child, the child's family and other significant persons, and any other information required by the residential child-caring agency;

(d) No change.

(e) Date of admission, source of referral, and any available assessments ~~social assessment~~ from the referring agency including the Comprehensive Placement Assessment, incorporated by reference in rule 65C-28.004, F.A.C.;

(f) Child's placement agreement, also known as the precautionary or behavioral agreement;

~~(g)(f)~~ Medical history, ~~cumulative~~ health record, treatment and clinical records, ~~and~~ progress reports, prescriptions, and any psychological and psychiatric reports;

(g) through (i) are redesignated (h) through (j) No change.

~~(k)(j)~~ The child's case plan, treatment plan, and service plan reviews and revisions reflecting the child's and family's goal achievement, as applicable to the population served (i.e. dependency youth, community youth, etc.);

(l) Visitation schedule outlining frequency of contact with parents, relatives, friends, or others with whom the child may have a significant relationship;

(k) through (l) are redesignated (m) through (n) No change.

(3) through (5) No change.

(6) The child-caring agency shall dispose of confidential records in a manner that protects the clients privacy and security of their protected health information.

(6) through (10) are renumbered (7) through (11) No change.

Rulemaking Authority 409.175(5)(a); 381.004(2)(e)11. FS. Law Implemented 409.175(5)(b)1., 9., 13., 409.175(5)(a)1., 9., 13., 381.004(2)(e)11., (f) FS. History—New 7-1-87, Formerly 10M-9.031, Amended 10-20-16. Amended

65C-14.023 Personnel and Staffing Requirements.

(1) Personnel Policy.

(a) The child-caring agency shall have written personnel policies and practices conducive to the recruitment, retention, and effective performance of qualified personnel. These policies and practices shall include the following:

1. Written job descriptions and titles for each position defining the qualifications, duties, lines of authority, and distinguishing position type as "direct care" or "non-direct care" in alignment with definitions in rule 65C-14.001, F.A.C.;

2. Provisions which will encourage professional growth through supervision, orientation, in-service training prior to unsupervised contact, and staff development;

3. Provisions for newly hired direct care staff members to accompany trained staff until new staff members complete pre-service training requirements;

4. Procedures for annual evaluation of the work and performance of each staff member, which include provisions for employee participation in the evaluation process;

5. A description of the termination procedures established for resignation or discharge;

6. A grievance procedure for employees and a plan for review of the personnel policies and practices with staff participation no less than once every three (3) years, and for revision when necessary.

7. Procedures for the background screening, supervision, and use of volunteers.

8. Procedures for when staff are named in an active child abuse and neglect investigation with the Department or when staff have a confirmed report for abuse or neglect with the Department.

~~All personnel employed in a caregiver role shall receive parent preparation training in accordance with Section 409.145(2)(e), F.S., prior to unsupervised contact with children.~~

~~(2) Staff who are employed to work directly with children shall be at least 18 years of age.~~

~~(2)(3) Personnel File.~~ The child-caring agency ~~The facility~~ shall have a personnel file for each employee which shall include the following:

(a) Identification confirming staff employed to work directly with children are at least 18 years of age;

~~(b)(a)~~ The application for employment, ~~including~~

(c) A two-year employment history check prior to hire, if applicable;

~~(b) A signed "Affidavit of Good Moral Character," CF 1649, January 2015, incorporated by reference and available at http://www.flrules.org/Gateway/reference.asp?No=Ref_07448;~~

(d)(e) A minimum of two (2) ~~three (3)~~ character reference letters or reference checks from ~~unrelated individuals~~ unrelated to the applicant who have known the applicant for at least two (2) years verifying that the applicant employee is of good moral character and is suitable to work with children, and for executive directors, the individual's work performance does not affect their ability to perform in an executive role.

~~(e)(d) Verification of background screening completion prior to hire, including:~~

~~1. Fingerprinting;~~

~~2. Statewide criminal records checks through the Florida Department of Law Enforcement;~~

~~3. Juvenile records checks through the Florida Department of Juvenile Justice for personnel ages 12 to 18, to include children of child-caring agency staff who reside in the facility;~~

~~4. Federal criminal records checks through the Federal Bureau of Investigation;~~

~~5. Local criminal record checks through local law enforcement agencies, including records of any responses to the~~

~~home by law enforcement that did not result in criminal charges;~~

~~6. Abuse and neglect records checks through the Department's Florida Safe Families Network (FSFN); and,~~

~~7. Civil court records checks regarding domestic violence complaints and orders of protection;~~

~~8. If the applicant or any other adult household member residing in the facility has resided in any other state during the past five (5) years, requests for abuse and neglect histories and civil court records regarding domestic violence complaints and orders of protection must be made of those states, and the results of such requests included with the personnel file.~~

~~(f) A signed "Affidavit of Good Moral Character," CF 1649, January 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07448>;~~

~~(e) through (g) are redesignated (g) through (i) No change.~~

~~(j)(4) Training record and conferences attended;:-~~

~~(k) Signed acknowledgement of child abuse and neglect laws, reporting requirements, and confidentiality;~~

~~(l) Copy of any physical restraint certification(s) or training(s) completed, if applicable;~~

~~(m) Signed acknowledgement of review of discipline policies; and~~

~~(l) Copy of certification for completion of cardiopulmonary resuscitation (CPR) training.~~

~~(3) Personnel File Retention.~~

~~(4) through (5) are redesignated (a) through (b) No change.~~

~~(4) Background Screenings.~~

~~(a) Direct care staff must obtain the following background screenings when being considered for employment and for continued employment:~~

~~1. National criminal records check from the Federal Bureau of Investigation (FBI) through fingerprinting every five (5) years;~~

~~2. Statewide criminal records check from the Florida Department of Law Enforcement (FDLE) through fingerprinting every five (5) years;~~

~~3. Juvenile records check through fingerprinting every five (5) years, as applicable;~~

~~4. Local criminal record checks through local law enforcement agencies, including records of any responses to the individual's home by law enforcement that did not result in criminal charges, every 12 months;~~

~~5. Florida abuse and neglect records checks through the Department's child abuse registry every 12 months;~~

~~6. National sex offender and predator check through the Dru Sjodin National Sex Offender Public Website every 12 months;~~

~~7. Civil court records checks regarding domestic violence complaints and orders of protection every 12 months; and~~

8. If the applicant has resided in any other state during the past five (5) years, requests for abuse and neglect histories must be made of those states, and the results of such requests included with the personnel file.

(b) Non-direct care staff must obtain the following background screenings when being considered for employment and for continued employment:

1. National criminal records check from the FBI through fingerprinting every five (5) years;

2. Statewide criminal records check from the FDLE through fingerprinting every five (5) years;

3. Juvenile records check through fingerprinting every five (5) years, as applicable;

4. Local criminal record checks through local law enforcement agencies, including records of any responses to the individual's home by law enforcement that did not result in criminal charges, every five (5) years;

5. Florida abuse and neglect records checks through the Department's child abuse registry every 12 months;

6. National sex offender and predator check through the Dru Sjodin National Sex Offender Public Website every 12 months;

7. Civil court records checks regarding domestic violence complaints and orders of protection every 12 months; and

8. If the applicant has resided in any other state during the past five (5) years, requests for abuse and neglect histories must be made of those states, and the results of such requests included with the personnel file.

(c) Juvenile records checks through the Florida Department of Juvenile Justice for ages 12 to 17 of children of child-caring agency staff who reside in the group home.

(d) Any other adult household member residing in the group home will be required to meet the background screening requirements in the same manner as staff of the child-caring agency.

(5) If the abuse and neglect record check request indicates the employee or prospective employee has an active or closed report, the child-caring agency shall request of the employee to obtain a copy of their report. The child-caring agency is responsible for reviewing the report and discussing any verified findings for abuse and neglect, or not substantiated for sexual abuse, with the prospective employee or those seeking continued employment.

(6) All employees with reports verified for abuse and neglect, and when an employee is named caregiver responsible in a report not substantiated for sexual abuse, shall be reviewed by the Department to determine safety concerns for the employee being considered for hire or continued employment.

(7) The Department shall drug test a staff member if there are allegations that he or she is using illegal substances.

(8) Qualifications.

(a) Child-caring agency personnel shall have the following qualifications:

1. Executive directors hired after July 1, 1987, shall have a bachelor's degree from an accredited college or university and at least three (3) years of experience in management or supervision.

2. Program directors, or staff serving a similar function, who are responsible for supervising, evaluating, and monitoring the delivery of services within the child-caring agency and for supervising supervisors of direct care staff shall have a bachelor's degree in social work or in a related area of study specified in section 402.402(1)(b), F.S., from a college or university and four (4) years of experience working with children; or master's degree from an accredited college or university and at least two (2) years of experience in social services.

3. Staff responsible for the supervision, evaluation, or monitoring of the direct care staff shall have a bachelor's degree in social work or in a related area of study from an accredited college or university and at least two (2) years of experience working with children; or two (2) years of college and three (3) years of experience working with children; or at least five (5) years of experience working in child welfare without a post-secondary degree.

4. Staff who provide therapy to children and their families shall meet the qualifications as required in the "Agency for Health Care Administration, Community Behavioral Health Services Coverage and Limitations Handbook," March 2014, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07455>.

(b) A child-caring agency shall not hire any individual who does not meet the criteria set forth in paragraphs (8)(a)2. and 3. above, without the approval of the Department's Regional Managing Director or designee. The Regional Managing Director or designee shall grant approval if the individual has relevant education, training, and experience in social services to substitute for the requirements set forth in paragraphs (8)(a)2. and 3., above. The child-caring agency shall provide at least the following information in support of such approval:

1. Documentation of any post-secondary education completed by the person listing the person's completed coursework, i.e. copy of official or unofficial transcript; and

2. Documentation of the individual's relevant experience in social services, or coursework, or training in social services.

(c) No person who has served as a board member, executive director, or other officer of an agency that has failed to secure a license to operate as a child-caring agency or continued in operation after the revocation or suspension of the agency's license shall be employed by or associated with a

licensed child-caring agency for a period of two (2) years' after termination or cessation of that illegal operation.

(9) Training.

(a) The child-caring agency shall have a training policy that outlines the plan for the orientation, ongoing training, and professional development of all staff members.

(b) The child-caring agency shall provide an initial orientation for all new employees during the first two (2) weeks of their employment. This orientation shall include job responsibilities, agency administrative procedures, confidentiality, Health Insurance Portability and Accountability Act (HIPAA), program goals, agency purpose and objectives, resources and services, identification of and reporting responsibilities in regard to child abuse and neglect, and supervision of residents.

(c) All direct care staff shall receive a minimum of 21 hours of caregiver preparation training prior to unsupervised contact with children. Topics shall include, but are not limited to:

1. Emergency and safety procedures;

2. Medication administration, including psychotropic medication as outlined in rule 65C-35.014, F.A.C.;

3. Communicable diseases;

4. Pool and water safety;

5. Reasonable and prudent parenting and normalcy for youth placed in a child-caring agency;

6. Sexual orientation, gender identity, and gender expression;

7. Role of staff as a team member in the development of service and or treatment plans, as applicable;

8. Transition, separation and loss, and attachment of youth in foster care;

9. Behavior management techniques, including crisis management and passive physical restraint;

10. Trauma-informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship;

11. Sexual abuse and interventions;

12. Human trafficking awareness;

13. The care of children at various developmental levels;

14. Multiethnic Placement Act (MEPA) and Americans with Disabilities Act (ADA);

15. Prevention of placement disruptions;

16. Adverse Childhood Experiences (ACE) and the impact of trauma and resiliency; and

17. Restorative practices to strengthen and respond to conflict.

(d) The child-caring agency shall ensure that direct care staff receive at least 40 hours of training activities during each full year of employment. Activities related to supervision of the staff member's routine tasks shall not be considered training

activities for the purposes of this requirement. Topics shall include, but are not limited to:

1. Understanding of children's emotional needs and problems which affect and inhibit their growth;
2. Family relationships and the impact of separation;
3. Substance abuse: recognition and prevention;
4. The care of children at various developmental levels;
5. Behavior management techniques, including crisis management and passive physical restraint;
6. Trauma-informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship; and
7. Preserving cultural connections in children.

(e) The child-caring agency shall submit training curriculums to the regional licensing team for approval. Training curriculums will be approved if they meet the conditions set forth in subsections (9)(b)-(d) above.

(10) Volunteers.

(a) A child-caring agency which utilizes volunteers to work directly with children shall:

1. Develop a description of duties and specific responsibilities; and
2. Develop a plan for the orientation and training in the philosophy of the child-caring agency, the needs of the children in care, and the needs of their families.

(b) Records shall be kept which document the hours and activities of volunteers.

(c) Volunteers who perform the same or substantially similar services for children as a paid employee shall have the same qualifications and training as the paid employee for the position and shall receive the same supervision and evaluation as the paid employee.

(d) Volunteers that have unsupervised contact with children will be required to meet the background screening requirements outlined in the same manner as direct care staff.

(e) Volunteers who have supervised contact with children for more than 10 hours per month will be required to meet the background screening requirements in the same manner as direct care staff.

(11) Staff Ratio.

(a) The child-caring agency shall develop policies and procedures for the supervision of children.

(6) through (7) are redesignated (b) through (c) No change.

(a) through (b) are redesignated 1. through 2. No change.

(8) through (10) are redesignated 3. through 5. No change.

(11) The child-caring agency shall designate one (1) onsite staff member as the caregiver. This person shall be trained on how to apply the reasonable and prudent parent standard, in accordance with Section 409.145(3), F.S., in the same manner as prospective foster parents.

(12) through (13) are redesignated 6. through 7. No change.

~~(14) Volunteers.~~

~~(a) A child-caring agency which utilizes volunteers to work directly with children shall:~~

- ~~1. Develop a description of duties and specific responsibilities; and,~~
- ~~2. Develop a plan for the orientation and training in the philosophy of the child-caring agency, the needs of the children in care, and the needs of their families.~~

~~(b) Volunteers who perform the same or substantially similar services for children as a paid employee shall have the same qualifications and training as the paid employee for the position and shall receive the same supervision and evaluation as the paid employee.~~

~~(c) Records shall be kept which document the hours and activities of volunteers.~~

~~(d) Volunteers that have unsupervised contact with children will be required to meet the background screening requirements of Section 409.175, F.S., in the same manner as employees of the child-caring agency.~~

~~(e) Volunteers who have supervised contact with children for more than 10 hours per month will be required to meet the background screening requirements of Section 409.175, F.S., in the same manner as employees of the child-caring agency.~~

~~(15) Residential child-caring agency personnel shall have the following qualifications:~~

~~(a) Executive directors hired after July 1, 1987, shall have a bachelor's degree from an accredited college or university and at least three (3) years of experience in management or supervision.~~

~~(b) Program directors, or staff serving a similar function, who are responsible for supervising, evaluating and monitoring the delivery of services within the child-caring agency and for supervising supervisors of direct care staff shall have a master's degree in social work or in a related area in Section 402.402(1)(b), F.S., of study from an accredited college or university and at least two (2) years of experience in social services, or a bachelor's degree from a college or university and four (4) years of experience working with children.~~

~~(c) Staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work, or in a related area of study from an accredited college or university, and at least two (2) years of experience working with children or two (2) years of college and four (4) years of experience working with children.~~

~~(16) The child-caring agency shall have a written plan for the orientation, ongoing training, and professional development of all staff members.~~

~~(17) The child-caring agency shall provide initial orientation for all new employees during the first two (2) weeks of their employment. This orientation shall include job~~

~~responsibilities, agency administrative procedures, and supervision of residents.~~

~~(18) The child-caring agency shall ensure that staff members working directly with children receive at least 40 hours of training activities during each full year of employment.~~

~~(a) The child-caring agency shall document that training received by direct child care staff in the first full year of employment includes the following areas:~~

- ~~1. Administrative procedures and overall program goals,~~
- ~~2. Emergency and safety procedures,~~
- ~~3. The screening, supervision and use of volunteers; and,~~
- ~~4. Sexual orientation, gender identity, and gender expression.~~

~~(b) The child-caring agency shall document that training received by direct child care staff annually includes the following areas:~~

- ~~1. Understanding of children's emotional needs and problems which affect and inhibit their growth;~~
- ~~2. Family relationships and the impact of separation;~~
- ~~3. Substance abuse: recognition and prevention;~~
- ~~4. Identification of and reporting responsibilities in regard to child abuse and neglect;~~
- ~~5. Principles and practices of child care;~~
- ~~6. Behavior management techniques, including crisis management and passive physical restraint; and,~~
- ~~7. Trauma informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship.~~

~~(19) Written job descriptions and titles for each position defining the qualifications, duties, and lines of authority;~~

~~(a) Written job descriptions and titles for each position defining the qualifications, duties, and lines of authority;~~

~~(b) Provisions which will encourage professional growth through supervision, orientation, in-service training, and staff development;~~

~~(c) Provisions for inexperienced direct care staff members to accompany experienced staff until new staff members are able to perform their job functions independently;~~

~~(d) Procedures for annual evaluation of the work and performance of each staff member, which include provisions for employee participation in the evaluation process;~~

~~(e) A description of the termination procedures established for resignation, retention, or discharge;~~

~~(f) A grievance procedure for employees and a plan for review of the personnel policies and practices with staff participation no less than once every three (3) years, and for revision when necessary.~~

Rulemaking Authority 409.145(5), 409.175(5)(a), 435.01 FS. Law Implemented 409.145(2)(e), 409.175(5)(b)1., 4., 5., 7., 9., 409.175(5)(a)1., 4., 5., 7., 9., 435.05 FS. History—New 7-1-87, Formerly 10M-9.033, Amended 10-20-16. Amended

65C-14.040 Admission, Placement, and Ongoing Services.

(1) through (3) No change.

(4) The admission of each child in the care and custody of the Department to a residential child-caring agency shall follow completion of a pre-admission study completed by the child-placing agency, and shall include the following:

(a) through (c) No change.

(d) A social history of the child, the child's family, and any other information required by the residential child-caring agency.

(e) through (f) No change.

(5) No change.

(6) Age Differential Waiver Requests.

(a) No child under the age of 10 six (6) years, or the age of enrollment in the fifth first grade of school, shall be admitted to a residential child-caring agency, except in the following situations:

(b) An age differential waiver may be requested for a child under the age of 10 years old in the following situations:

(a) Under emergency circumstances:

1. An emergency placement of a child under six (6) years shall be documented in the child's case record, verifying that no alternate plan for care was available at the time of admission.

2. Continued diligent effort shall be made, including referral to the Department to place a child under age six (6) in foster care or other appropriate care. Such plans shall be made within 30 days of the child's admission.

3. Residential care for children under six (6) years who are part of a sibling group may be continued if separation would cause additional trauma to the child.

1.(b) No change.

1. through 2. are redesignated I. through II. No change.

2.(e) To prevent separation of a parenting young adult and child if placed outside of a maternity home. If the parenting young adult and child is placed outside of a maternity home, the child-caring agency shall provide the services outlined in rule 65C-14.1181 F.A.C.

3. When the comprehensive placement assessment and the multidisciplinary team staffing recommend placement in a child-caring agency.

4. When the child must meet the eligibility requirements for admission into a child caring agency when utilizing the age differential waiver.

(c) The age differential waiver is not required for youth under the age of 10 who have a qualifying assessment recommending placement in a qualified residential treatment program (Q RTP). The qualifying assessment must render a recommendation prior to placement in a Q RTP.

(d) Waiver requests are required for dependency youth under the age of 12 who are recommended for placement in an

at-risk home setting or safe house and must include supporting documentation of all efforts to place the youth with a relative or fictive kin, in an available Level III safe foster home within Florida, and in an available Level II foster home within the youth's lead CBC gerographical area.

(e) The Age Differential Waiver for Group Care form, CF-FSP 5447, (insert date), incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and a copy of the child's Comprehensive Placement Assessment must be submitted by the CBC for signed approval by their CEO or CBC designee and routed to the Regional Managing Director (RMD) or Department designee for final approval prior to placement in a child-caring agency.

1. In determining whether to approve the age differential waiver, the RMD will consider the information outlined in the Comprehensive Placement Assessment and the Age Differential Waiver request form, and the eligibility criteria for admission of the requested group home setting.

2. The RMD or Department designee shall provide a determination within four (4) hours of receipt of the request from the CBC.

(f) The waiver must be uploaded to the child's case file and reviewed every 30 days with documented diligent efforts to transition the child out of group care.

(g) A youth who turns 18 years old may remain in the child-caring agency if receiving services under the Department's Extended Foster Care Program. Young adults may continue room sharing arrangements until there is a disruption or transition, at which point the young adult can no longer share a room with a minor. Young adults residing in the child-caring agency as a supervised living arrangement are included in the overall capacity.

(h) The child-caring agency can not admit a young adult who is 18 years old upon admission unless the requirements under rule 65C-14.123, F.A.C., are met.

(7) Admission Orientation.

(a)(7) No change.

(a) through (f) are redesignated 1. through 6. No change.

(8) through (9) are redesignated (b) through (c) No change.

(10) through (13) are redesignated (8) through (11) No change.

(12)(14) Service Plans.

(a) The child-caring agency shall initiate develop a written service or treatment plan within 14 30 days of placement and must be completed by day 30 for each child admitted into care. Child caring agencies operating as an emergency shelter shall initiate service planning within 24 hours of admission.

(b) Service plans shall outline details of the supports, activities, and resources required for the child to achieve individual goals.

(c)(15) The development of the service or treatment plan shall be developed with input from the include:

(a) The child, child's parents or guardian, child welfare professional, the child's attorney and guardian ad litem, and other appointed representatives and a representative of the referring agency, if appropriate; and;

(b) Child-caring agency staff.

(d)(16) The service or treatment plan shall include the following:

(a) through (d) are redesignated 1. through 4. No change.

(e)(17) The child-caring agency shall review each child's service or treatment plan every 30 days at least every six (6) months. (f) The child-caring agency shall update the service plan as needed or at least every six (6) months.

(g)The update review shall involve the child, the facility staff members working directly with the child, the parent or guardian, and the child-placing agency or Department.

(h)(18) At the time of the update review, the service or treatment plan shall be revised to include the following:

1.(a) Progress made toward achieving the goals established in the previous service or treatment plan.

2.(b) Any changes in the service or treatment plan.

3.(c) No change.

(13) Treatment Plans.

(a) Child-caring agencies responsible for developing treatment plans must complete written plans within 14 days of placement for each child admitted into care.

(b) The treatment plan shall be developed with input from the child, child's parent(s) or guardian, child welfare or community-based care case manager, foster parents, if applicable, and guardian ad litem, if appointed, or any other party involved with the development of the plan.

(c) The treatment plan shall include the following:

1. A statement of problems to be addressed;

2. Goals to be reached which address each problem;

3. Action steps which will be taken to accomplish identified goals;

4. Target dates for the accomplishment of action steps and goals;

5. A description of the services to be provided and the frequency of such services;

6. The assignment of a primary therapist or counselor;

7. The youth's diagnosis, including diagnostic codes; and

8. Discharge criteria.

(d) The child-caring agency shall review each child's treatment plan at least every 30 days. The review shall involve the child, the facility staff members working directly with the child, the parent or guardian, and the child-placing agency or Department.

(e) The treatment plan shall be updated as needed or at least every six (6) months.

(f) The treatment plan shall be reviewed and signed by the youth, if appropriate, and clinician and placed in the child's file.

(14)(19) Education and Vocational Requirements.

(a) Each child in residence shall attend school in accordance with ~~§~~Section 1003.21(1)(a), F.S. The child-caring agency shall plan jointly with school personnel and the parent or guardian or child-placing agency staff to place children in appropriate grades and classes and to help them make an adjustment to their school.

~~(b)(20)~~ Maintaining the child's school stability while in out-of-home care in the school or educational setting the child attended prior to entry into the facility is first priority, unless remaining in the same school or educational setting is not in the best interest of the child for safety or other reasons as documented in the state's official system of record FSN. Children shall be encouraged to participate in afterschool clubs, sports, and other extracurricular activities.

(21) is redesignated (c) No change.

~~(15)(22)~~ No change.

~~(a)(23)~~ Residential Child-caring agencies which provide therapeutic or psychiatric treatment programs shall integrate such programs with the child's educational program.

~~(b)(24)~~ The residential child-caring agency shall encourage children of legal work age to find employment in the community in accordance with their transition plan the service or treatment plan. The child-caring agency shall ensure children have transportation to and from their employment.

~~(c)(25)~~ The residential child-caring agency shall encourage and assist children, as age-appropriate, to explore opportunities for higher education.

~~(d)(26)~~ The residential child-caring agency shall provide education and hands-on instruction in life skills which shall include the following:

(a) through (f) are redesignated 1. Through 6. No change.

Rulemaking Authority 409.175(5)(~~a~~) FS. Law Implemented 409.175(5)(b)1., 2., 9., 10. ~~409.175(5)(a)1., 2., 9., 10.~~ FS. History—New 7-1-87, Formerly 10M-9.041, Amended 10-20-16. Amended

65C-14.048 Discharge Planning and Aftercare ~~Post-release~~ Services.

(1) The residential child-caring agency shall have a written policy on discharge planning and aftercare post-release services which shall specify the availability of services and identify the staff member or agency responsible for follow-up and implementation of the plan.

(2) No change.

(3) The residential child-caring agency shall prepare a written discharge summary and document this in the child's case record at least 45 calendar days prior to the projected date of release from the facility, unless the release is unplanned and

unforeseen. A copy of the discharge summary shall be provided to the parent or guardian or referral agency at least seven (7) calendar days prior to the proposed release date, unless the release is unplanned and unforeseen.

(4) Discharge planning shall include input from the child, the child's parent or guardian, foster parents, caregiver, Department, and guardian ad litem, and a copy shall be provided to the child's welfare professional.

~~(5)(4)~~ The discharge summary shall include the following:

(a) A copy of the discharge plan;

(a) through (d) redesignated (b) through (e) No change.

(6) A copy of the discharge summary shall be provided to the parent(s) or legal guardian, and guardian ad litem.

(7) The child-caring agency shall have procedures for adequate follow-up or aftercare services. Aftercare plans shall, at minimum, reflect recommendations for services, where appropriate, and document any referrals generated, and include at least one (1) documented contact with the discharged child or his or her family within the first 30 days following discharge. Documentation shall be placed in the child's file and made available to the Department or child welfare professional upon request.

(8) The child-caring agency shall consider evidenced-based prevention services as a component of aftercare, based on service availability.

Rulemaking Authority 409.175(5)(~~a~~) FS. Law Implemented 409.175(5)(b)9. ~~409.175(5)(a)9.~~ FS. History—New 7-1-87, Formerly 10M-9.049, Amended 10-20-16. Amended

65C-14.116 Administrative Actions, Appeals and Closures.

(1) No change.

(a) The denial, revocation, or suspension of a license shall be recorded in the state's official system of record FSN by the Regional Licensing Authority.

(b) No change.

(2) No change

(3) Administrative Action for Existing Child-Caring Agencies.

(a) No change.

(b) The Department shall consider the following factors when determining whether a child-caring agency's license will be revoked:

1. No change.

2. Whether the agency has a history of institutional abuse reports, as outlined in section 39.302(7), F.S.,

3. through 6. No change.

(c) No change.

(4) No change.

(5) ~~Voluntary~~ Agency Closures.

(a) If a child-caring agency closes voluntarily ceases operation for any reason, it shall notify the Department in writing at least 30 calendar days prior to closing, ~~and~~

(b) All child-caring agencies who cease operation, for any reason, shall coordinate the following:

1. No change.
2. Return of all open and closed records to the Department within 30 days of closure.

(c)(b) ~~If a child-caring agency ceases operation,~~ The Department shall document in the state's official system of record ESN:

1. through 2. No change.
3. If the closure is voluntary and in lieu of revocation or denial of a license, the concerns of the Department regarding the child-caring agency.
4. Confirmation of open and closed records received.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(b)1., (6), (9)(a) 409.175(5)(a)1., (6), (9)(a) FS. History—New 10-20-16. Amended

65C-14.117 Standards for Contracted Emergency Shelters.

~~(1) Child-caring agencies contracted to provide services as an~~ The director of each emergency shelter shall comply with sign the licensing requirements set forth in rules 65C-14.001 through 65C-14.116 F.A.C., in addition to the following program standards: "Civil Rights Certificate," CF 707, October 2005, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08853>.

~~(2) Contracted emergency shelters shall provide an initial orientation for all new employees in accordance with subsection 65C-14.023(17), F.A.C.~~

~~(3) Contracted emergency shelters shall provide inservice training in accordance with subsection 65C-14.023(18), F.A.C.~~

(1)(4) There shall be communication access available telephones on the premises which are accessible to residents for making and receiving approved private calls. Restrictions on private calls shall be based on the location of the party called, the effect of the call on the child, and any existing court orders regarding contact.

(5) through (6) are renumbered (2) through (3) No change.

(4)(7) A contracted emergency shelter staff member shall discuss program goals, available services, and rules governing conduct with each resident upon admission to the shelter. This discussion must be documented by a the facility staff member employee on a form developed by each facility and stored in the child's file. The employee and resident must sign the completed form. This requirement does not apply to resident infants or children who are not capable of understanding due to disability or stage of cognitive development.

~~(8) All contracted emergency shelters shall maintain a system of accounting for the whereabouts of all children.~~

~~(5)(9)~~ All contracted emergency shelters shall cooperate with child welfare professionals the Department's counselors who place clients in a contracted shelter program by enrolling the children in school or by providing an educational component in the shelter.

~~(6)(10)~~ All contracted emergency shelters shall have on the premises individual records that identify if a child is placed through the child welfare system, which contain the placing counselor's name, the child's name and home address, the date of the placement, the reason for placement, and any medical history.

~~(7)~~ All contracted emergency shelters shall provide 24 hour care and supervision.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175 FS. History—New 12-24-17. Amended

65C-14.118 Standards for Runaway Shelters.

(1) Child-caring agencies who provide services as a runaway shelter shall comply with the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards outlined in this rule. The director of each runaway shelter shall sign the "Civil Rights Certificate," CF 707, October 2005, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08853>.

~~(2) General.~~

(a) No change.

(b) A runaway shelter staff member shall discuss program goals, available services and rules governing conduct with each resident upon admission to the shelter. This discussion must shall be documented by a facility staff member on runaway shelter staff and the resident, using a form developed by the facility and stored in the youths file. The employee and resident must sign the completed form each center.

~~(c) All runaway shelters shall maintain a system of accounting for the whereabouts of all children.~~

~~(c)(d)~~ There shall be communication access available telephones on the premises which are accessible to residents for making and receiving approved private calls. Restrictions on private calls shall be based on the location of the party called, the effect of the call on the child, and any existing court orders regarding contact.

~~(d)~~ A runaway shelter's client population will consist of those children who are in conflict with their parent(s) or legal guardian, or who have run away from other community placements.

(e) No change.

~~(f)~~ Runaway shelters shall have a plan or procedure for assuring quality care to clients which includes professional review and monitoring of client assessments, service, and discharge planning.

(g) Runaway shelters shall provide 24-hour care and supervision.

(2) Client Rights and Service Expectations.

(a) Information about client rights shall be made available in a language which the client and the client's parent or legal guardian can understand (i.e. sign language or in verbal or written form).

(b) All runaway shelters shall have a written summary of client rights which is made available in the agency's reception area and which is handed to clients during their initial contact with the agency.

(3) Clients.

(c)(a) Services shall be made available to youth and their families:

1. No change.
2. Through referrals by the child welfare system, juvenile justice system, community mental health system, or community telephone referral systems.

(b) A runaway shelter's client population will consist of those children who are in conflict with their parents, or who have run away from other community placements.

(d)(e) No change.

(d) The facility shall maintain an individual file on each youth admitted into the facility.

1. The client file maintained on each youth shall include an intake form which contains basic background information, counseling notations, information on the services provided both directly and through referrals to community agencies and individuals, disposition data, and any follow-up and evaluation data which are compiled by the shelter.

2. The file on each client shall be maintained in a secure place and shall not be disclosed in part or in whole without the written permission of the client and his or her parent or legal guardian, except as allowed by law.

(4) Client's Rights.

(e)(a) No change.

(b) All runaway shelters shall have a written summary of client rights which is made available in the agency's reception area or which is handed to clients during their initial contact with the agency.

(c) Information about client rights shall be made available in a language which the client and the client's parent or legal guardian can understand (i.e. sign language or in verbal or written form).

(d) through (e) are redesignated (f) through (g) No change.

(3)(5) Basic Service Requirements.

(a) No change.

(b) Within the first 24 hours of admittance into the shelter, a direct care service staff member shall conduct an initial screening and initiate an individualized service plan for

each client. This plan shall be reviewed by a supervisor within 72 hours.

(c) through (f) No change.

(g) Runaway shelter staff with case management responsibility shall have the necessary skills to utilize community resources and maintain linkages and obtain cooperative agreements with community agencies, out-of-area programs, or individuals for services needed not directly provided by the agency's agency, including a plan for handling emergency medical and dental needs of clients.

(h) No change.

(6) Shelter Care.

(a) When a runaway shelter provides emergency shelter services, it shall meet basic residential needs through an onsite facility that provides food, housing, and clothing.

(b) All runaway shelters shall provide an organized program of daily activities, including individual or group counseling, educational, social, and recreational activities.

(i)(e) No change.

(4)(7) Discharge Planning and Aftercare Services.

(a) Discharge planning shall include involves the consideration of a variety of alternative living arrangements, including return to family whenever possible, and when in the best interest of the youth; referral to long-term community-based residential facilities, or independent community living arrangements, including residence with friends, relatives, or others.

(b) through (f) No change.

(5) Confidentiality and File Requirements. The facility shall maintain an individual file on each youth admitted into the facility.

(a) The file on each youth shall include an intake form which contains basic background information, counseling notations, information on the services provided both directly and through referrals to community agencies and individuals, disposition data, and any follow-up and evaluation data which are compiled by the shelter.

(b) The file on each youth shall be maintained in a secure place and shall not be disclosed in part or in whole without the written permission of the client and parent(s) or legal guardian, except as allowed by law.

(8) Personnel.

(a) Runaway shelters shall provide an initial orientation for all new employees in accordance with subsection 65C-14.023(17), F.A.C.

(b) Runaway shelters shall provide inservice training in accordance with subsection 65C-14.023(18), F.A.C.

(c) Runaway shelter staff with case management responsibility shall have the necessary skills to utilize community resources and effect linkages and obtain services needed by the agency's clients.

~~(d) Runaway shelters shall have a plan or procedure for assuring quality care to clients, which includes professional review and monitoring of client assessments, service, and discharge planning.~~

Rulemaking Authority 409.175(5)(a), 409.441 FS. Law Implemented 409.175, 409.441 FS. History—New 12-24-17. Amended _____

65C-14.1181 Standards for Maternity Homes.

(1) The child-caring agency providing services for prenatal, post-partum or parenting youth must meet the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards outlined in this rule.

(2) Training. The child-caring agency shall ensure all direct care staff complete pre-service training requirements in rule 65C-14.023(9)(c), F.A.C. The pre-service training shall include an additional 20 hours related to the care of prenatal, postpartum, and parenting youth or young adults. Of the 40 hours of annual in-service training required in rule 65C-14.023(9)(d), F.A.C., 20 hours shall be focused on prenatal care, postpartum, and parenting youth or young. Training topics shall include, but are not limited to:

- (a) Mother/child health and development;
- (b) Developmental stages, ages birth to five;
- (c) Trauma, triggers, and calming strategies for young parents;
- (d) Pregnancy and childbirth, basic infant care, and safety;

and

- (e) Parent and child relationships.

(3) The child-caring agency may utilize a shift or house parent staffing model.

(4) The child-caring agency may provide services to any youth who is pregnant or parenting, in addition to providing care for sibling groups of a youth who is pregnant or parenting.

(5) Basic Service Requirements. The child-caring agency shall offer the following services:

- (a) Pre-natal and childbirth education;
- (b) Parenting education to include safe and health parenting practices, child development of infants and toddlers, active and responsive caregiving, and emerging language and literacy;
- (c) Water safety education and training;
- (d) Individual/group/family counseling;
- (e) Clinical services to address trauma, childhood sexual exploitation, trafficking, and the parent/child relationship; and
- (f) Ongoing multi-disciplinary team staffing to determine appropriate placements, service needs, and support from community partners.

(6) The child-caring caring agency shall ensure youth acknowledge receipt of training for infant safety and care, infant water safety and safe sleep practices. The acknowledgement shall be signed in placed in the youth's file.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

65C-14.1182 Standards for Wilderness Camps.

(1) The child-caring agency providing 24-hour care to youth as a wilderness camp must meet the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards in this rule.

(2) Location.

(a) The location of a camp shall not present a fire, health, or safety hazard.

(b) A wilderness camp shall only be established at a location where land is properly drained.

(3) Child-caring agencies shall provide each child with a closet or chest of drawers for clothing and personal belongings which shall be reserved for the individual child's use or an alternative storage.

(4) Emergency Response and Prevention Plan.

(a) The child-caring agency shall have a system in place that provides for an immediate response in case of an emergency. The system must include the ability to immediately notify appropriate agency staff, police, fire department, physician, poison control center, ambulance, or other emergency services that may be needed.

(b) A travel plan shall be developed which includes an itinerary and a pre-established check-in time for any programs which are mobile in the wilderness. This plan shall be kept on file at the program's office or left with a designated home base person.

(c) A pre-established emergency assistance plan shall be initiated upon the failure of a traveling group to meet the check-in time.

(5) A wilderness camp may utilize a shift or house parent staffing model.

(6) The child caring agency shall ensure staff receive program specific wilderness training to include topics such as safety, technical skills, leadership, and problem solving skills.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

65C-14.1183 Standards for At-Risk Houses

(1) The child-caring agency providing services for youth who are at risk of sex trafficking must meet the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards outlined in this rule.

(2) The child-caring agency may utilize a shift or house parent staffing model.

(3) The child-caring agency shall develop policies and procedures for all services provided, and home or facility security plans. (4) Training.

(a) The child-caring agency shall ensure all direct care staff complete pre-service training requirements in rule 65C-14.023(9)(c), F.A.C., and receive an additional 24 hours of Department-approved, specialized training on human trafficking prior to working with youth. See rule 65C-43.004, F.A.C., for information on this required specialized training.

(b) The child-caring agency shall ensure there are available staff trained in a Department-approved human trafficking prevention education curriculum to facilitate to youth residing in the home.

(c) Of the 40 hours of annual in-service training required in rule 65C-14.023(9)(d), F.A.C., eight (8) hours shall be focused on human trafficking.

(5) Admission. Prior to admission, the child-caring agency shall ensure the following:

(a) The child or youth meets criteria for “at-risk of sex trafficking,” as defined in rule 65C-14.001, F.A.C., and

(b) If a dependency youth, is at least 12 years of age at time of admission.

(6) Client Services. The child-caring agency must provide high-quality, supportive services for youth to include, but are not limited to:

(a) Family/group/individual counseling;

(b) Treatment and intervention for sexual assault;

(c) Substance abuse and mental health screening;

(d) Life skills;

(e) Educational supports;

(f) Discharge planning; and

(g) Programming related to the prevention of sex-trafficking including healthy relationships, interpersonal boundaries, community engagement, etc.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

Substantial rewording of 65C-14.119 follows. See Florida Administrative Code for present text.

65C-14.119 Standards ~~Criteria~~ for ~~Certification~~ of Safe Houses

(1) The child-caring agency providing services for commercially sexually exploited children (CSEC) must meet the licensing requirements set forth rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program requirements outlined in this rule.

(2) The child-caring agency shall submit the following documentation to the Regional Licensing Authority for certification as a Safe House:

(a) “Application for Certification as a Safe Foster Home or Safe House,” CF-FSP 5403, February 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06225>;

(b) Facility’s security plan;

(c) Documentation of client services provided;

(d) Copy of supervision policies and procedures;

(e) Documentation of specialized training hours completed for all staff; and

(f) Documentation of compliance with the requirements applicable to safe houses set forth in paragraphs 409.1678(2)(c)-(d), F.S.

(3) The child-caring agency shall ensure all direct care staff complete pre-service training requirements in rule 65C-14.023(9)(c), F.A.C., and an additional 24-hours of specialized training in sexual exploitation prior to unsupervised contact with youth. Specialized training requirements are outlined in rule 65C-43.004(4), F.A.C. Staff must complete eight (8) hours of continuing education annually focused on human trafficking.

(4) Policies and Procedures.

(a) The child-caring agency shall develop policies and procedures for all services and security plans that meet minimum standards as set forth in section 409.1678(2), F.S., including an emergency response plan with local law enforcement agencies.

(b) Changes made to any policies and procedures shall be submitted to the Regional Licensing Authority within 10 business days of the proposed change. Changes shall be reviewed prior to implementation to ensure they meet minimum standards as set forth in section 409.1678(2), F.S.

(5) Safe House Tiers. The child-caring agency shall indicate if they will serve as a Tier 1 or Tier 2 safe house, with Tier 1 being least restrictive and Tier 2 being more restrictive.

(6) Admission and Discharge.

(a) Dependency youth must be at least 12 years of age at time of admission.

(b) The admission plan shall identify any exclusionary criteria and outline the intake and discharge procedures. This shall include criteria for requests for change of placement and early or unsuccessful discharge.

(c) Current or historical trauma-related behaviors and coping mechanisms, such as the following, should not be used as a reason to deny a placement request or discharge a youth, unless it can be determined that such behavior will create an imminent risk to the safety or stability of other residents in the home:

1. Running away;

2. Non-violent delinquent offenses (with consideration of violent offenses on a case-by-case basis);

3. Recruitment or similar behaviors;

4. Violent behaviors that do not pose an imminent risk to others; or

5. Mental health diagnoses that do not require a higher level of care.

(d) The child-caring agency shall outline in their program policy responses to behaviors, as mentioned in paragraph (6)(b)

of this rule, that support and develop the child’s healthy recovery and resilience.

(e) Prior to a discharge determination, the child-caring agency shall complete a re-evaluation of the child’s service plan and multidisciplinary team staffing with the case management agency and community-based care’s human trafficking liaison.

(7) Ratio.

(a) The facility shall have at least one bedroom for every two children or young adults.

(b) There shall always be at least one direct care staff member to every four children or young adults.

(c) The agency shall ensure 24-hour-a-day supervision of the children and young adults in its care.

(8) Client Services. The child-caring agency shall provide the following client services:

(a) Victim-witness counseling;

(b) Individual and family counseling;

(c) Treatment, and intervention for sexual assault;

(d) Substance abuse screening and treatment, if applicable;

(e) Life skills training;

(f) Survivor mentoring support by a survivor of sexual exploitation; and

(g) Activities schedule.

Rulemaking Authority 409.1678(2)(c)7., (2)(e) FS. Law Implemented 409.1678 FS. History–New 1-12-16, Amended 10-24-19, Formerly 65C-43.003. Amended

~~65C-14.120 Record Keeping for Children in Safe Houses. The community-based care agency that has primary responsibility for the child shall maintain in the Florida Safe Families Network (FSFN), the following for each child placed in a safe house:~~

~~(1) Demographic information on the child or young adult;~~

~~(2) The child or young adult’s placement history;~~

~~(3) Legal documents, such as the Dependency Shelter Order, Predisposition Study, case plan, and Judicial Review Social Study Report (JRSSR), if applicable;~~

~~(4) The child or young adult’s medical and social history;~~

~~(5) The child or young adult’s behavior management plan that assesses safety;~~

~~(6) The child or young adult’s psychological, psychiatric, and behavioral history;~~

~~(7) A treatment plan, as referenced in sub-subparagraph 65C-43.003(1)(a)11.b., F.A.C., that outlines the plan to address the child or young adult’s individualized needs;~~

~~(8) The child or young adult’s educational history, including school reports, report cards, and educational plan;~~

~~(9) A recreational plan, specific to the child or young adult;~~

~~(10) A record of independent living activities and trainings that the child or young adult was referred to and/or participated in;~~

~~(11) A recent photograph of the child or young adult; and~~

~~(12) The discharge summary.~~

Rulemaking Authority 409.1678(2)(e) FS. Law Implemented 409.1678 FS. History–New 10-24-19, Formerly 65C-43.0035. Repealed.

65C-14.121 Standards for Qualified Residential Treatment Programs

(1) The child-caring agency providing services for youth who have serious emotional or behavioral disorders or disturbances must meet the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards in this rule.

(2) File Requirements. The child-caring agency shall obtain a copy of the child’s qualifying assessment, as defined in rule 65C-28.021, F.A.C. and place in the child’s file. Child-caring agencies serving non-dependency youth shall obtain a copy of an independent assessment confirming the child meets criteria to receive services in a qualified residential treatment program.

(3) The child-caring agency shall work in conjunction with the qualified individual conducting all assessments.

(4) Training.

(a) The child-caring agency shall ensure all direct care staff complete pre-service training requirements in Rule 65C-14.023(9)(c), F.A.C., and receive an additional 30 hours of specialized training specific to qualified residential group care.

(b) Of the 40 hours of annual in-service training required in rule 65C-14.023(9)(d), F.A.C., 10 hours shall focus on qualified residential group care. Topics shall include, but are not limited to, the following:

1. Normal childhood development;

2. Emotional disturbances in children and common behavioral problems exhibited;

3. Evidenced-based interventions for children with emotional disturbances;

4. Behavior management, theory, and skills;

5. Discipline to include limit-setting, logical consequences and problem solving;

6. Relationship building skills;

7. Communication skills;

8. Permanency planning;

9. Stress management;

10. Crisis intervention and emergency procedures;

11. Self-defense and passive physical restraint;

12. Working with biological or adoptive families;

13. Placement adjustment skills;

14. Confidentiality;

15. Cultural competency;

16. Behaviors and emotional issues of children who have been sexually abused; and

17. Children and youth with developmental disabilities (if serving this population).

(5) Staffing.

(a) The child-caring agency shall have registered or licensed nursing staff and other licensed clinical staff who are:

1. On-site as outlined in the child-caring agency's trauma informed treatment model;

2. Available 24-hours a day, seven (7) days a week for response; and

3. May be contracted providers.

(b) The child-caring agency may utilize a shift care staffing model or house parent model.

(6) Accreditation. The child-caring agency must be accredited by any of the following organizations:

(a) Commission on Accreditation of Rehabilitation Facilities (CARF);

(b) The Joint Commission, formerly known as Joint Commission on Accreditation of Healthcare Organizations (JCAHO);

(c) Council on Accreditation (COA); or

(d) Any other not-for-profit accrediting agency approved by the Office of Child Welfare (OCW).

(7) License Capacity

(a) The child-caring agency licensed as a qualified residential treatment program (QRTTP) shall not exceed a licensed capacity of 16.

(b) The total bed capacity of all licensed buildings, units, or cottages located on a campus shall be included in the total capacity count of 16.

(8) Basic Service Requirements.

(a) The child-caring agency shall develop a policy outlining the programs trauma-informed treatment model that addresses the clinical needs of children with emotional or behavioral disorders or disturbances and is able to implement the treatment identified for the child. The policy shall address the staffing requirements needed to implement the trauma-informed model.

(b) The child-caring agency must provide time-limited, high-quality, supportive services for youth including, but not limited to:

1. Substance abuse and mental health screening and treatment, if applicable;

2. Family/group/individual therapy;

3. Behavioral management;

4. Psychiatric services;

5. Support groups;

6. Sexual abuse/sexual aggression services;

7. Specialized intervention services;

8. Social & rehabilitative services;

9. Psycho-educational services; and

10. Academic supports

(c) The child-caring agency shall facilitate participation of family members in the child's treatment program including, but not limited to:

1. Inclusion in family therapy;

2. Outreach to family members, including siblings;

3. Documenting how family members are integrated into the treatment process for the child, including post-discharge; and

4. Documenting how sibling connections are maintained.

(d) The child-caring agency shall ensure the emotional safety and recovery are assessed and precautions are taken in regard to the safety of other children in the same setting.

(9) The child-caring agency is responsible for the development of treatment plans as outlined in rule 65C-14.040(13)(a)-(f), F.A.C., in addition service plans.

(10) Discharge and Aftercare Plan.

(a) The provider shall have and use on an ongoing basis a written procedure on discharge planning and aftercare supports that specifies the availability of services and the persons responsible for implementation of the aftercare supports.

(b) The child-caring agency shall provide discharge planning and family-based aftercare support for at least six (6) months post-discharge.

(c) Discharge planning shall include input from the child, the child's parent or guardian, foster parents, caregiver, Department, and guardian ad litem, and a copy shall be provided to the child's welfare professional.

(d) The child's diagnosis shall be considered during discharge planning and development.

(e) Aftercare support plans shall be developed at least one month prior to discharge.

(f) Aftercare support shall be developed to meet the needs of a child with intent for the child to reside in the most appropriate, least restrictive setting.

(g) Aftercare Support Eligibility for Dependency Youth. Aftercare support must be offered to all children who have a qualifying assessment and court order recommending placement in a QRTTP setting. Aftercare support is not required for youth who discharge to another QRTTP setting or higher level of care to include Statewide In-Patient Psychiatric Program (SIPP) or Specialized Therapeutic Group Home (STGH).

(h) Aftercare Supports. The QRTTP shall provide the following aftercare supports:

1. Community service coordination for the youth and their family/caregiver;

2. Ensure all service referrals have been linked and barriers to access services are eliminated;

3. Provide a minimum of two (2) contacts per month, with at least one face to face contact, with the youth and family/caregiver;

4. Provide written progress reports every 30 calendar days to the youth's child welfare professional.

(i) When a youth is discharged to a placement setting outside a 50-mile radius of the provider, the child-caring agency must coordinate aftercare support with the lead community-based care agency having jurisdiction of the youth. The lead community-based care agency shall resume responsibilities of the aftercare support services provided to the youth.

(j) The child-caring agency may contract/sub-contract these or related services to a community provider qualified to provide such services.

(12) QRTP Credential for Non-Department Licensed Entities.

(a) Entities licensed by another state agency may apply for a credential as a qualified residential treatment program and must meet all program standards outlined in this subsection.

(b) The entity shall complete the "Application for Credential as a Qualified Residential Treatment Program" CF-FSP 5452, (insert date), incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(c) Background Screening Requirements. All direct care staff employed by the entity must obtain the following background screenings:

1. National and statewide criminal records checks under Chapter 435 and Chapter 39, Florida Statutes, through fingerprinting every five (5) years;

2. Juvenile records check through fingerprinting every five (5) years as applicable;

3. Florida abuse and neglect records checks through the Department's child abuse registry every 12 months; and

4. Out of state abuse history records check if the individual resided out of state in the past five years from the time of the request for a QRTP credential.

(d) Program Requirements. The QRTP credentialed entity must meet the following program requirements:

1. Licensed by a state agency;

2. Obtain accreditation by an approved accrediting entity;

3. Utilize a trauma-informed treatment model;

4. Serve children with serious emotional or behavioral disorders or disturbances;

5. Ensure an assessment of the child is completed by a qualified individual within 30 days of admission;

6. Have clinical and nursing staff available 24/7 and onsite according to the treatment model;

7. Maintain documentation of family engagement, including contact with siblings; and

8. Must include six (6) months of post-discharge, family-based aftercare services/support.

(e) All staff must complete training in trauma-informed care.

(f) The license shall not exceed a capacity of 16.

(g) QRTP credentials are issued for a period of 12 months. Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

65C-14.122 Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs

(1) The child-caring agency providing services for unaccompanied minor children (UAC) must meet the licensing requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards in this rule.

(2) The child-caring agency shall ensure a contractual or grant agreement was executed with the Office of Refugee and Resettlement (ORR) in order to provide care and services to unaccompanied and/or undocumented minor children.

(3) The child-caring agency shall ensure all direct care staff complete training hours on immigration in child welfare, cultural awareness, and human trafficking related topics, as outlined in the Section 4.3.6. of the Office of Refugee and Resettlement (ORR) UAC Program Policy, March 11, 2019, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(4) The child-caring agency providing care to unaccompanied children shall not provide care to dependent youth in the same home or under the same license.

(5) The child-caring agency may utilize a shift care or house parent staffing model.

(6) The director and direct care staff shall sign the "Partnership Plan for Unaccompanied Alien and Refugee Minor Children" form, CF-FSP 5446, DATE, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(7) The child-caring agency shall provide a copy of their education plan outlining how education will be provided for youth.

(8) The child-caring agency shall notify the Department of any changes in the contract/grant agreement, and submit an updated copy, to include ORR's decision to no longer utilize the facility.

(9) Record retention of child files shall be relinquished to the ORR when the child-caring agency no longer selects to maintain a license.

(10) Incident reports shall be available to the licensing Department upon request. Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

65C-14.123 Standards for Traditional and Residential Homes

(1) The child-caring agency licensed as a traditional or residential home, as defined in this chapter, must meet licensing

requirements set forth in rules 65C-14.001 through 65C-14.116, F.A.C., in addition to the program standards in this rule.

(2) If serving dependency youth, the child-caring agency must specify in their program description policies which of the following they choose to serve:

(a) Young adults, ages 18-21 years of age., or 22 years of age with documented disability who are enrolled in Extended Foster Care (EFC), or

(b) Children and youth placed in out-of-home care whose Comprehensive Placement Assessment recommends placement in a group care setting/program that has been identified but is unavailable at the time of placement.

(3) Requirements for Serving Independent Living Young Adults.

(a) The minimum staffing ratio for this population is one to eight when young adults are awake and one to ten when young adults are asleep.

(b) The child-caring agency shall ensure all direct care staff complete pre-service training requirements in rule 65C-14.023(9)(c), F.A.C., and receive an additional eight (8) hours of training focused on teaching independent living skills, caring for teens in foster care, and nurturing adolescent development. Of the 40 hours of annual in-service training required in rule 65C-14.023(9)(d), F.A.C., six (6) hours shall be focused on caring for and transition planning for young adults.

(c) The child-caring agency shall collaborate with the child welfare professional and young adult to complete required plans outlined in rule chapters 65C-41 and 65C-42, F.A.C. Copies shall be included in the young adults file.

(d) The child-caring agency shall provide the following services:

1. Life skill instruction.

2. Counseling.

3. Educational Support.

4. Employment preparation and placement.

5. Development of a supportive network of adults.

(4) Requirements for Serving Youth Entering Out-of-Home Care.

(a) The length of stay shall not exceed 14 calendar days.

(b) Transition planning shall be initiated 48 hours after placement.

(c) The child-caring agency shall collaborate with the child welfare professional to provide and/or assist with the following services:

1. Coordination of assessments including, but not limited to, suitability assessments, Early and Periodic Screening Diagnostic and Treatment (EPSDT), or assessments of preliminary mental and/or behavioral health needs.

2. Coordinate referrals to and arrangements for continued services in a least restrictive setting.

3. Assess family connections/relationships to assist with family finding efforts.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History—New

65C-14.124 Licensing Process and Procedures

(1) Group Home Inquiries.

(a) The Regional Licensing Authority shall provide licensing requirements and quality expectations to individuals inquiring about group home licensure.

(b) Complaints against group care providers shall be addressed by the licensing team who maintains oversight of the provider or the community-based care agency as appropriate.

(2) License Issuance.

(a) The Regional Licensing Authority shall upload the required licensing documents, as outlined in rule 65C-14.003, F.A.C., to the state's official system of record.

(b) The Regional Licensing Authority shall conduct a review of the application packet, facility, and all required documentation to ensure compliance with all rules in Chapter 65C-14, F.A.C., prior to issuance of a license.

(c) A license is only valid for the facility documented on the license for the length of 12 months.

(d) The relicensing process shall begin 90 days prior to the expiration of a license.

(e) A license shall be issued for the child-caring agency program type based on the population served and services provided, as indicated in the program description. A single license can not be issued for multiple setting/program types.

(f) Public institutions that meet criteria to become licensed shall indicate their specific child-caring agency setting type.

(3) Changes During the Licensing Year.

(a) Child-caring agencies that undergo a change in ownership shall submit a new application for license, in addition to all personnel screening requirements outlined in 65C-14.023, F.A.C. Contact information shall be updated in the the state's official system of record.

(b) Child-caring agencies who undergo a change in the license setting type shall submit a new application for license and must obtain a letter of need from the local CBC indicating the need for services and specific capacity. Program policies shall be updated to reflect changes to the program setting.

(c) Child-caring agencies that undergo a change in business name or change of address but with the same owner/executive director shall submit a new application for license. The Regional Licensing Authority shall amend and reissue the child-caring agency license.

(4) Corrective Action Plans.

(a) The Regional Licensing Authority may issue a written corrective action plan (CAP) for a child-caring agency who is not in compliance with licensing standards, as set forth in this

rule chapter, that do not pose an immediate threat to the health, safety, or welfare of the children. Corrective action plans shall be created for agencies that have the ability to understand and correct the infraction.

(b) Corrective action plans shall include the description of licensing violation(s) or deficiency, the expected corrective action, and the time frame for completion and deadline for corrective action.

(c) The Regional Licensing Authority and child-caring agency shall review and sign the corrective action plan and a copy shall be uploaded in the state’s official system of record.

(d) The Regional Licensing Authority may prohibit admission of youth into a home or facility as a provision of the corrective action plan.

(e) Failure to comply with the corrective action plan within the time specified in the plan may result in denial of relicensure and/or revocation of the license.

(5) Dual Licensure.

(a) The Regional Licensing Authority may issue a license for a child-caring agency that maintains licensure with a licensing authority outside of the Department. Such entities may include, but are not limited to, providers licensed by Agency for Persons with Disabilities (APD) or the Agency for Healthcare Administration (AHCA).

(6) Other Licensing Standards.

(a) Each Regional Licensing Authority shall issue and maintain all child-caring agency licenses for providers who are geographically located in their service region.

(b) Child-caring agency providers who have multiple homes or facilities across different regions shall obtain a license from the Regional Licensing Authority in which the home or facility is located.

(7) Exemptions from Licensure.

(a) The licensing requirements of this chapter do not apply to facilities operated under provisions outlined in section 409.176, F.S.

(b) The Regional Licensing Authority shall report to the Department any concerns or allegations received on a provider that is registered under 409.176, F.S.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History–New

65C-14.125 Foster Care Referrals and Investigations.

(1) The Regional Licensing Authority maintains responsibility for ensuring follow-up actions for licensing standards are taken on all foster care referrals and investigations. The regional licensing authority shall ensure that all licensed child-caring agencies are notified of foster care referrals. Child-caring agencies shall be notified of investigations by the child protective investigator.

(2) The Regional Licensing Authority, community-based care lead agency, and supervising agency have the right to inspect the entire premises of the child-caring agency at any time.

(3) Foster Care Referrals. Upon receipt by the child protection investigation unit of a foster care referral regarding a child-caring agency, the foster care referral shall be immediately forwarded to the appropriate Regional Licensing Authority. The licensing staff receiving the foster care referral shall:

(a) Respond to the foster care referral and document any needed actions within 48 hours;

(b) Prepare a written corrective action plan to correct the identified deficiencies. The plan shall be developed by the Regional Licensing Authority in conjunction with the licensed child-caring agency; and

(c) Make a call to the Abuse Hotline if there are suspicions of abuse or neglect.

(4) Investigations. When the Regional Licensing Authority is notified of an investigation, a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety, or well-being of the child, the Regional Licensing Authority shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the Regional Licensing Authority in conjunction with the licensed child-caring agency.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tanisha Lee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2020

**DEPARTMENT OF CHILDREN AND FAMILIES
Family Safety and Preservation Program**

RULE NO.: 65C-28.004 RULE TITLE: Comprehensive Placement Assessment

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-28.004, F.A.C., Comprehensive Placement Assessment, to align with the Family First Prevention Services Act (FFPSA), P.L. 115-123, to ensure all children entering out of home care are assessed for the most appropriate least restrictive placement setting.

SUMMARY: The amendment will clarify the assessment process to include an additional review for youth recommended

for placement in a group home to align with FFPSA requirements for youth to be placed in an FFPSA qualified group care setting.

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 used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 409.175(5), F.S.

LAW IMPLEMENTED: 409.175, F.S.

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:

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-28.004 Comprehensive Placement Assessment.

(1) Whenever a child is unable to safely remain at home with a parent, the most appropriate available out-of-home placement shall be chosen after a ~~an~~ Comprehensive Placement Assessment of the child’s needs and availability of caregivers qualified to meet the child’s needs. The child shall be placed in the most appropriate available a setting that meets the needs of the child in as close proximity as possible to the caregiver with whom reunification is planned.

(a) through (b) No change.

(c) The Comprehensive Placement Assessment shall be used to assist with ensuring children in out-of-home care are not inappropriately referred for a clinical assessment for the purpose of rendering a diagnosis of mental illness or emotional or behavioral disorders, for the purpose of satisfying placement

requirements in a clinical licensed setting. The assessment shall not be used to formulate a diagnosis.

(2) Placement Matching and Determining the Level of Care.

(a) Responsibilities of Child Protective Investigators (CPI) Relative or Non-Relative Placement.

1. Upon a child’s entry into out-of-home care, ~~the Child Protective Investigator (CPI)~~ shall:

a. Fill out sections 1, 2, and 3, ~~and 2~~ of the Comprehensive Placement Assessment, CF-FSP 5438, (insert date) ~~May 2019~~, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxx40437>, or a substantially similar form, and upload the form in the Meeting Module under “Placement Staffing” in the Florida Safe Families Network (FSFN); and

b. No change.

~~e. The assessment shall include a consideration of the factors listed below in sub-sub-subparagraphs (2)(b)1.a.I-IX.~~

2. If it is determined that the child cannot be placed in relative or non-relative care, the CPI shall select “other” as the recommended level of care and contact the community-based care lead agency (CBC) or subcontracted agency for a multidisciplinary team staffing (MDT) and placement into licensed foster care.

a. The MDT shall have a minimum of three (3) individuals currently involved with the child, including, but not limited to, a representative from the Department and the case manager for the child; a therapist, attorney ad litem, guardian ad litem, teachers, coaches, Children’s Medical Services; and other community providers of services to the child or stakeholders as applicable. The team may also include clergy, relatives, and fictive kin if appropriate. The team shall gather and review information which is known at the time, including, but not limited to:

I. Medical needs.

II. Developmental needs.

III. Mental health needs.

IV. Medication history, including psychotropic medications.

V. Behavioral health needs.

VI. Alleged type of abuse or neglect and trafficking history.

VII. Community ties and school placement, including educational needs.

VIII. Current placement decisions related to any siblings, including a sibling that has been previously adopted or is in an adoptive placement, and previous sibling separation staffings and efforts made to place siblings together. Foster and adoptive parents of a sibling shall be contacted and, if interested, considered for placement.

IX. Child's age, maturity, hobbies or activities, and preference for placement.

X. The child's Adverse Experiences Questionnaire (ACE) score.

b. The child welfare professional shall indicate the results of the MDT and the child's recommended level of care in section 3 of the Comprehensive Placement Assessment.

(b) Responsibilities of the Community-Based Care Agency Licensed Foster Care Placement.

1. The case manager, CBC, or subcontracted agency shall coordinate an MDT upon request from the CPI, with a minimum of three (3) individuals currently involved with the child, as outlined in section 39.523(2)(a), F.S.

a. The team shall consider the following factors in determining the most appropriate level of care for the child:

I. Medical needs.

II. Developmental needs.

III. Mental health needs.

IV. Medication history, including psychotropic medications.

V. Behavioral health needs.

VI. Alleged type of abuse or neglect and trafficking history.

VII. Community ties and school placement, including educational needs.

VIII. Current placement decisions related to any siblings, including a sibling that has been previously adopted or is in an adoptive placement. Foster and adoptive parents of a sibling shall be contacted and, if interested, considered for placement.

IX. Child's age, maturity, hobbies or activities and preference for placement.

b. The assessment must be updated by the CBC lead agency or subcontracted agency to include any additional information on level of care decisions for each child in out of home care and reviewed as often as necessary to ensure permanency for that child. This information will be considered at each judicial review.

2. The Comprehensive Placement Assessment must be updated by the case manager, CBC, or subcontracted agency when a change in the level of care is recommended for each child in out-of-home care and reviewed every three (3) months to ensure permanency for that child. This information will be considered at each judicial review.

a. An updated Comprehensive Placement Assessment is not required when a child's level of care changes from relative or non-relative placement to a Level I foster home.

b. The case manager, CBC, or subcontracted agency must ensure an MDT is completed and update the Comprehensive Placement Assessment every 60 days for youth who are placed

in a group care setting or treatment program licensed by the Department as a child-caring agency.

c. The case manager, CBC, or subcontracted agency child welfare professional shall document the child's recommended level of care and placement outcome in ~~fill-out~~ section 3 of the Comprehensive Placement Assessment, or a substantially similar form.

d. The case manager, CBC, or subcontracted agency child welfare professional responsible for the case shall gather any additional information about the child and document it in the Meeting Module under "Placement Staffing" in appropriate section of the child's FSFN record, including explanations as to why the level of care is the most appropriate for the child. A copy of the assessment shall be uploaded to FSFN.

32. If the child is suspected or identified as needing medical foster care, the child shall be referred to the local Children's Multidisciplinary Assessment Team (CMAT) within five (5) business days.

a. through c. No change.

43. If the child is suspected or identified as having a developmental delay or condition, the child welfare professional responsible for the case shall ensure that a referral for an assessment is completed within five (5) business days, if an assessment has not already been completed, and eligibility for developmental services are obtained.

54. If the child is suspected or identified as having a mental health need, the child welfare professional responsible for the case shall ensure a referral for an assessment is completed within five (5) business days, if an assessment has not already been completed, obtained. A child shall not be referred for a clinical assessment for the purpose of being placed in a clinical setting when not necessary.

65. No change.

76. When it is necessary to place a child who is known to have any behaviors that may result in harm, the person making the placement shall implement safeguards to ensure that the needs of the child for supervision, treatment, and interventions are addressed and that the safety of other children in the same setting is ensured. The child welfare professional responsible for the case shall document the safeguards in the child's behavior management plan or care precaution plan.

a. No change.

b. The referral guidelines for therapeutic foster care are contained in the Florida Medicaid Therapeutic Group Care Services Coverage Policy Community Behavioral Health Services Coverage and Limitations Handbook, July 2017 March 2014, incorporated by reference in rule 59G-4.295 59G-4.050, F.A.C.

c. Medicaid Fair Hearing Requirements. When a child or family has had Medicaid funded services reduced, denied, suspended or terminated, the child welfare professional shall

assist the child or family in requesting a fair hearing. The Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook addresses Fair Hearing Notices. Refer to rules 65-2.042-.069, F.A.C., regarding the conduct of fair hearings.

8. No change.

(3) ~~For child welfare professional placement responsibilities see rule 65C-30.011, F.A.C. Child Welfare Professional Placement Responsibilities. When a child is placed in out of home care, the child welfare professional responsible for the case shall:~~

~~(a) Review with the out of home caregiver the care and supervision needs of the child, including any special physical, medical, emotional, or developmental needs.~~

~~(b) Provide information about the out of home caregiver to the child, as age or developmentally appropriate.~~

~~(c) Provide the licensed out of home caregiver the Child's Resource Record. The Child's Resource Record from previous placement(s) shall be reviewed with the out of home caregiver upon the child's new placement. The child welfare professional responsible for the case shall discuss with the licensed out of home caregiver the caregiver's role in maintaining and updating the Child's Resource Record.~~

~~(d) Sign a copy of the "Partnership Plan for Children in Out of Home Care," CF FSP 5226, January 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06689>, obtain a signature of the out of home caregiver attesting acknowledgment of the requirements at time of placement, and place in the child's case record.~~

~~(e) Provide any formal assessment of the child to the child's parent, out of home caregiver, Children's Legal Services attorney, and guardian ad litem and child's attorney, if appointed.~~

~~(f) Encourage and provide necessary support to the parent and out of home caregiver in participating in the assessment or medical evaluation process.~~

~~(g) Whenever a special need is suspected, provide service referrals.~~

~~(h) Document in FSN any notification provided to parents and others regarding a child's assessment and any referrals made as a result of the assessment.~~

~~(i) If there is any potential that a child may qualify for social security survivor benefits, social security disability benefits or Supplemental Security Income due to disability, or other benefits, ensure that an application is made for the benefits on behalf of the child and documented in FSN.~~

~~(j) When a disability is determined and a need for services is identified, arrange for services for the child and supports for the out of home caregiver.~~

~~(k) When a child is identified as a victim of sexual abuse and needs to be placed in out of home care, take actions to ensure that the needs of the child for emotional safety and recovery are addressed and that precautions are taken in regards to the safety of other children in the same setting.~~

~~(l) When a child who is known to have any behaviors that may result in harm, the person making the placement shall provide the caregivers with written, detailed, and complete information regarding the circumstances surrounding the child's behavior so that they can avoid any unwitting replication of those circumstances. Information given to caregivers shall include the dates of all known incidents; the nature of the relationship between the child and victim; the types of behavior exhibited; a brief narrative outlining the event; the types of treatment needed or provided and any current treatment outcomes.~~

~~(m) For additional case management responsibilities after case transfer see rule 65C-30.007, F.A.C.~~

~~Rulemaking Authority 39.012, 39.0121(2), (6), (12), (13), 39.0137, 39.307(7), 39.523(5), 409.145(5) FS. Law Implemented 39.307(1)(b), 39.407, 39.523, 409.145(2) FS. History—New 5-4-06, Amended 5-8-16, 5-30-19. Amended _____~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tanisha Lee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2020

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-28.021 Qualified Residential Treatment Programs

PURPOSE AND EFFECT: The Department intends to create Rule 65C-28.021, Qualified Residential Treatment Programs, to comply with the Family First Prevention Services Act, P.L. 115-123.

SUMMARY: The rule establishes standards for admittance to Qualified Residential Treatment Programs; delineates educational and experiential background requirements and scope of duty for qualified individuals who conduct qualifying assessments; specifies placement options; specifies documentation and time requirements, including length of stay; sets forth child welfare professional responsibilities, and establishes discharge and support requirements.

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 used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 409.175(5), F.S.

LAW IMPLEMENTED: 409.175, F.S.

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: Jodi Abramowitz. Jodi can be reached at 850-717-4470 or Jodi.Abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-28.021 Qualified Residential Treatment Programs

(1) Placement of a child in a qualified residential treatment program (QRTP) is for the specific purpose of addressing the child's emotional and behavioral health needs through observation, diagnosis, and treatment in a treatment setting. QRTPs shall not be used for emergency placements or to provide secure shelter for the child. If the child is in acute psychiatric crisis, the child shall be referred to a crisis stabilization unit for emergency screening and stabilization in accordance with Sections 394.463 and 394.467, F.S.

(2) The community-based care lead agency shall maintain documentation of a child's placement in a QRTP and is responsible for ensuring that each child receives a "qualifying assessment" no later than 30 calendar days after placement. The community-based care may request an assessment prior to the child being placed in the QRTP.

(3) A "qualifying assessment" includes the development of short term and long term mental and behavioral health goals and the use of the Child and Adolescent Needs and Strengths (CANS) Trauma Comprehension assessment tool, March 2013, incorporated by reference and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, by a qualified individual (QI) to make a determination of placement in a QRTP setting concerning a child who has a serious emotional or behavioral disorder or disturbance.

(4) The qualifying assessment must be conducted by a QI who meets the following requirements:

(a) Is a licensed clinician or a master's level practitioner under supervision of a licensed clinician;

(b) Has at least 3 years' experience working with children or adolescents involved in the child welfare system of care;

(c) Has no actual or perceived conflict of interest with placement in a QRTP; and

(d) Has completed training pertaining to the population of children in the child welfare system. Training topics shall include, but are not limited to, trauma-informed care and human trafficking.

(5) The QI must conduct a review of prior treatment records and speak with relevant parties in the child's life, including, but not limited to, the guardian ad litem, case manager, current caregiver, the child's family, Department of Juvenile Justice worker, treating clinical professional, and the permanency team.

(a) The treating clinical profession shall be a member of the permanency team.

(b) The QI shall consider the recommendation of the child's treating clinical professional when conducting the assessment.

(6) The QI must conduct an interview with the child.

(a) Interviews may be completed via video conferencing if the child is outside a 50-mile radius from the location of the QI or in the event of a declared emergency.

(b) When a child refuses to participate in the interview, the QI shall make good faith efforts to engage the child. Good faith efforts are defined as documented efforts that demonstrate the QI took all steps in light of the child's age, intelligence, emotional development and stability, and demeanor to enable the child to participate in a conversation with the QI that could aide or assist in obtaining information to determine whether the child meets the criteria for needing placement in a residential treatment center, even if those efforts were not fully successful. Marginal or token efforts to communicate with the child are not sufficient to constitute good faith efforts.

(7) The QI shall recommend one of the following placement options:

(a) Placement in a QRTP;

(b) Placement in a less restrictive setting with wraparound services; or

(c) Referral for a suitability assessment.

(8) The QI may only recommend placement in a residential treatment center if he or she meets the qualifications of a

qualified evaluator (QE) pursuant to Section 39.407, F.S., and is part of the network contracted with the Department.

(9) If the QI was not provided with all components of the clinical record prior to the assessment or the child has experienced a decompensation in mental or behavioral health functioning since the assessment, the assigned child welfare professional may request a reconsideration.

(10) If the QI determines the child does not meet criteria for placement in a QRTP, the child's multidisciplinary team shall offer to assist in developing a plan for necessary treatment and support services for the child in the community.

(11) When the qualifying assessment does not recommend placement in a QRTP, the child welfare professional must make arrangements to have the child moved from the program within 30 calendar days of the recommendation.

(12) Within 60 calendar days after initial placement in a QRTP, the Department shall request the court to approve or disapprove the placement and to consider the qualified residential treatment assessment, determination, and documentation made by the qualified individual. If the court orders the child to be placed in a QRTP after the QI does not recommend placement, the assigned child welfare professional shall request a reconsideration.

(13) If placement in the QRTP is approved by the initial 60-day court review, the QI must conduct an independent qualifying assessment review at least every 90 days after the child's initial placement so long as the child remains placed in a qualified residential treatment program. It is the child welfare professional's responsibility to request a 90-day review from the QI.

(14) If at any time the court denies the motion to place the child into a QRTP or orders the placement of the child into a less restrictive setting during a review hearing, the child welfare professional will follow local protocol to coordinate the referral and placement of the child into the least restrictive setting that is best suited to meet the child's needs. The child welfare professional must make arrangements to have the child moved from the program within 30 calendar days of the determination.

(15) A copy of the qualifying assessment must be provided to the Department, community-based care agency or case management agency, the guardian ad litem, and the court having jurisdiction over the child, all of whom must be provided with the opportunity to discuss the findings with the evaluator.

(a) The initial qualifying assessment shall include, at minimum, the outcome of the face to face interview with the child, review of prior treatment records, contact with relevant parties, recommendation for placement in a QRTP, and attachment of the Department-approved evidenced-based functional assessment tool.

(b) The 90-day independent qualifying assessment review may be an addendum to the initial assessment and shall include,

at minimum, the outcome of a new face to face interview with the child, review of new treatment records, attachment of the Department-approved evidenced-based functional assessment tool, documentation of any psychosocial changes, and recommendation for continued placement in a QRTP.

(16) A child may not be placed in a QRTP for more than 12 consecutive months or 18 nonconsecutive months, or in the case of a child who has not attained age 13, for more than 6 consecutive or non-consecutive months, without approval of the Department's Regional Managing Director (RMD) or DCF designee. Requests for approval shall be made using the Qualified Residential Treatment Program (QRTP) Extended Placement Request Form, CF-FSP 5450, date, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The RMD or DCF designee shall consider the recommendations of the multidisciplinary team staffing conducted within the last 60 calendar days and the most recent qualifying assessment recommending in making a decision whether to approve the continued placement. The RMD or DCF designee shall consult with a Department of Substance Abuse and Mental Health (SAMH) clinical professional regarding their decision to approve. A copy of the signed approval shall be attached to the child's case plan.

(17) Discharge and Aftercare Support

(a) Discharge planning and aftercare support shall be developed to meet the needs of the child with intent for the child to reside in the most appropriate, least restrictive setting. Planning shall include input from the child, child's parent or guardian, caregiver, the child's case management team, and guardian ad litem.

(b) Aftercare support must be offered to all children who have a qualifying assessment and court order recommending placement in a QRTP setting. Aftercare support is not required for youth who discharge to another QRTP setting or higher level of care to include Statewide In-Patient Psychiatric Program (SIPP) or Specialized Therapeutic Group Home (STGH).

(c) Aftercare support must be provided for a minimum of 6 months post discharge.

(d) When a child is discharged to a placement setting outside a 50-mile radius of the provider, the lead community-based care agency shall resume responsibilities of the aftercare support services offered to the child once coordinated by the child-caring agency.

(e) Written aftercare progress reports provided to the child welfare professional by the child-caring agency shall be uploaded into the state's official system of record and the child welfare professional shall notify the court of the child's progress during a judicial review.

(18) A child who elopes or is Baker Acted from a QRTP may be readmitted into the same or newly identified QRTP without an additional assessment so long as the child returns within seven (7) calendar days from the date of the occurrence.

(19) If a child transfers from one QRTP to another without a lapse in placement, a new assessment is not required. The community-based care shall coordinate a multidisciplinary staffing with both QRTP providers to discuss the child's identified needs and sharing of records to allow for adequate continuation of services and treatment.

Rulemaking Authority 409.175(5), F.S. Law Implemented 409.175, F.S. New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Tanisha Lee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2020

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-30.006 Case Planning

PURPOSE AND EFFECT: The Department intends to amend rule 65C-30.006, F.A.C., to add provisions regarding case planning for children placed in qualified residential treatment programs.

SUMMARY: The amendment requires specified information to be included in the case plan of a child placed in qualified residential treatment program.

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 used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 39.012, 39.0121(12), (13) FS. LAW IMPLEMENTED: 39.6011, 39.6012, 39.6013, 39.602 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: Jodi Abramowitz. Jodi can be reached at 850-717-4470 or Jodi.Abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-30.006 Case Planning.

(1) No change.

(2) Case Plan Development.

(a) through (c) No change.

(d) When a child is placed in a qualified residential treatment program (QRTP), the case plan must include the following:

1. Documentation outlining the most recent assessment for a QRTP:

2. Date of the most recent placement in a QRTP;

3. The treatment or service needs of the child;

4. A transition plan for the child specifying the following:

a. Placement setting upon discharge;

b. Efforts to achieve permanency if child remains in out-of-home care;

c. Discharge criteria; and

d. Aftercare support recommendations for the child and caregiver(s).

5. A copy of the signed QRTP Extended Placement Request approval by the Department, if a child is placed in a QRTP setting for longer than 12 consecutive months or 18 nonconsecutive months, or in the case of a child who has not attained age 13, for more than 6 consecutive or non-consecutive months. See rule 65C-28.021, F.A.C. for approval criteria.

(3) through (6) No change.

Rulemaking Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.6011, 39.6012, 39.6013, 39.602 FS. History--New 5-4-06, Amended 2-25-16, 12-22-19. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:

Tanisha Lee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: December 23, 2020

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
 69O-142.015 Standardized Requirements Applicable to
 Insurers After Hurricanes or Natural
 Disasters
 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. 46 No. 189, September 28, 2020 issue of the Florida Administrative Register.

The changes are in response to comments received from the public and the Joint Administrative Procedures Committee.

69O-142.015 Standardized Requirements Applicable to Insurers After Hurricanes or Natural Disasters

This rule adopts standardized requirements that may be applied to insurers as a consequence of a hurricane or other natural disaster. The Office is authorized to issue an Order or Orders deemed necessary to protect the health, safety and welfare, activating the requirements herein, in whole or in part. An Order may be amended as deemed necessary to accommodate the particular circumstances of the specified hurricane or natural disaster. The following standardized provisions may be activated as provided herein:

(1) Claims Reporting Requirements.

(a) This subsection applies to all property and casualty contracts of insurance subject to regulation under the Florida Insurance Code including:

1. All policies referenced in chapters 440, 624, 626, and 627, F.S.; and
2. Premium finance company contracts associated with property and casualty contracts.

References in this subsection herein to “policy” or “contract of insurance” includes all property and casualty contracts regulated under the Florida Insurance Code. References to “insurer” include all regulated entities issuing these contracts.

~~(b)(a)~~ All insurers ~~entities~~ having direct premiums written in Florida and authorized, approved or otherwise eligible to provide the coverages indicated below in subparagraphs (1)~~(b)(a)~~1. and 2., shall report the requested information to the Office. The reporting shall be submitted with such frequency

and for such areas as set forth in the Order. The applicable coverages are:

1. through 2. No change.

~~(c)(b)~~1. Insurers shall electronically submit the data required for each reporting event. Required data may include ~~but is not limited to:~~

- a. Policies in force;
 - b. ~~Claims reported~~ Total insured value of policies in force;
 - c. ~~Open claims with payment~~ Number of claims reported;
 - d. ~~Open claims without payment;~~
 - ~~e.~~ Claims closed with payment;
 - ~~f.~~ Claims closed without payment;
 - ~~g.~~ Number of open claims;
 - ~~h.~~ Percent of claims closed;
 - ~~i.~~ Paid loss excluding loss adjustment expense;
 - ~~j.~~ Paid allocated loss adjustment expense;
 - ~~k.~~ Case incurred loss excluding loss adjustment expense;
- and,
- ~~l.~~ Case allocated loss adjustment expense.

2. No change.

(2) Grace Periods and Temporary Postponement of Cancellations or Non-renewals.

(a) This subsection applies to all property and casualty contracts of insurance subject to regulation under the Florida Insurance Code including: Subsection (2) of this rule, applies to all contracts of property and casualty insurance and other contracts that are subject to regulation under the Florida Insurance Code and not governed by subsection (3) of this rule, including:

1. No change.
2. Premium finance company ~~Finance Company~~ contracts. References in this subsection herein to “policy” or “contract of insurance” includes all property and casualty contracts regulated under the Florida Insurance Code. References to “insurer” include all regulated entities issuing these contracts.

~~References herein to “policy” or “contract of insurance” includes all agreements regulated under the Insurance Code.~~

(b) through (c) No change.

(d) During the dates specified in the Order, no insurer or other entity regulated under the Florida Insurance Code shall cancel or non-renew, or issue a notice of cancellation or nonrenewal of, a policy or contract of insurance covering a property or risk in the referenced areas as specified in the Order, except at the written request or written concurrence of the policyholder.

(e) through (q) No change.

(3) Grace Periods and Temporary Postponement of Cancellations or Non-renewals.

(a) This subsection applies to all life and health contracts of insurance subject to regulation under the Florida Insurance Code including:

- 1. through 2. No change.
- 3. Premium ~~finance company~~ ~~Finance Company~~ contracts associated with life and health contracts.

References in this subsection ~~herein~~ to “policy” or “contract of insurance” includes all life or health agreements regulated under the Florida Insurance Code. References to “insurer” include all regulated entities issuing these agreements.

- (b) through (c) No change.
- (d) During the dates specified in the Order, no insurer or other entity regulated under the Florida Insurance Code ~~insurance code~~ shall cancel or non-renew a policy or contract of insurance or issue a notice of cancellation or nonrenewal on a contract of insurance covering a person in the referenced areas as specified in the Order, except at the written request or written concurrence of the policyholder.

(e) All notices of cancellation issued or mailed within ten (10) calendar days preceding the date specified in the Order, affecting a person in the specified areas, shall be withdrawn and reissued to insureds on or after the date specified in the Order.

- (f) No change.
- (g) Except as provided in paragraphs (3)(e) and (f), with respect to a notice of cancellation or nonrenewal which, but for this rule, would have taken effect during the dates specified in the Order, such notice is not made invalid by this rule; however:

1. The insurer shall extend the coverage to and including the date specified in the Order, or a later date specified by the insurer; and

- 2. No change.
- (h) Retroactive cancellation due to non-payment of premium:

1. For health policies or contracts, an insurer or other regulated entity that was unable to cancel or non-renew a policy due to the operation of this rule, may upon proper notice, cancel or non-renew such policy, effective on the date the policy would have otherwise been cancelled or non-renewed, in the event the insured has not paid outstanding premium due. For all other policies under this subsection, an ~~An~~ insurer or other regulated entity that was unable to cancel or non-renew a policy due to the operation of this rule, may upon proper notice, cancel or non-renew such policy, effective on the date the policy would have otherwise been cancelled or non-renewed, in the event the insured has not paid the outstanding premium due.

- 2. No change.
- (i) through (q) No change.

This subsection does not apply to major medical health insurance policies subject to regulation by the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as

amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and regulations adopted pursuant to those acts, to the extent this requirement would result in a violation of federal law.

Rulemaking Authority 624.308, 627.7019 FS. Law Implemented 624.307(1), 624.319, 624.424, 627.7019 FS. History—New 6-12-07, Amended 7-30-17, _____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 10, 2020, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2017 FDA Food Code; paragraph 4-301.12(A), 2017 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code and Section 5-203.13, 2017 FDA Food Code from DA KINE POKE LLC located in Winter Park. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided; and that each establishment has at least one service sink provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at handwash sink; to share the warewashing facilities and the mop sink located on the premises of a nearby business under a different ownership.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

The Sarasota Soil and Water Conservation District announces a public meeting to which all persons are invited.

DATES AND TIMES: January 7, 2021, 9:00 a.m., February 4, 2021, 9:00 a.m., March 4, 2021, 9:00 a.m., April 1, 2021, 9:00 a.m., May 6, 2021, 9:00 a.m., June 3, 2021, 9:00 a.m., July 1, 2021, 9:00 a.m., August 5, 2021, 9:00 a.m., September 2, 2021, 9:00 a.m., October 7, 2021, 9:00 a.m., November 4, 2021, 9:00 a.m., December 2, 2021, 9:00 a.m.

PLACE: 6700 Clark Road, Sarasota, FL 34241

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items for discussion include general business pursuant to responsibilities under Chapter 582, F.S., and any new business that is brought up by District supervisors.

A copy of the agenda may be obtained by contacting: Sarasota Soil and Water Conservation District at 941-444-3141.

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.029 Insurer Reporting Requirements and Responsibilities
The Florida Hurricane Catastrophe Fund Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 7, 2021, 1:30 p.m. (ET) until conclusion of meeting.

PLACE: Persons wishing to participate may dial (888) 585-9008 and enter conference code 973-664-296.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Notice of Proposed Rule for Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, was published on December 16, 2020, providing the public with 21 days from that date to request a rule hearing. If a rule hearing is timely requested, the Advisory Council will meet by conference call on January 7, 2021, to review comments made by the public at the rule hearing. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Mary Linzee Branham, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, MaryLinzee.Branham@sbafla.com, (850) 413-1335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Mary Linzee Branham at the email or number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, January 13, 2021, 9:00 a.m.; Thursday, January 14, 2021, 11:00 a.m.; Wednesday, January 20, 2021, 9:00 a.m.; Thursday, January 21, 2021, 11:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email inmatessupporter@fcor.state.fl.us. For questions and correspondence regarding victims' rights, please email victimquestions@fcor.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at ada@fcor.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).

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2021, 9:30 a.m.

PLACE: Indian River State College Chastain Campus, Wolf High-Technology Center, 2400 SE Salerno Road, Stuart, Florida 34997

In accordance with the requirements of Sec. 120.525, Florida Statutes, notice is hereby given that the Treasure Coast Regional Planning Council intends to utilize communications media technology to facilitate attendance of a portion of its voting membership for purposes of constituting a quorum to conduct business, that such attendance will be broadcast publicly at the above meeting location, and also that a minimum of one-third of its voting membership will be physically present at the above meeting location.

The meeting is also available virtually:
<https://global.gotomeeting.com/join/702624349>
 You can also dial in using your phone.
 +1 (408) 650-3123 / Access Code: 702-624-349

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will hold its monthly board meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at 772 221-4060 or lgulick@tcrpc.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: Liz Gulick at 772 221-4060 or lgulick@tcrpc.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.

For more information, you may contact: Liz Gulick at 772 221-4060 or lgulick@tcrpc.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

The Electrical Contractors' Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 22, 2021, 10:00 a.m.

PLACE: <https://global.gotomeeting.com/join/564765493>

You can also dial in using your phone. United States: (224)501-3412, Access Code: 564-765-493

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which may be closed to the public.

A copy of the agenda may be obtained by contacting: The Electrical Contractors' Licensing Board, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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: The Electrical Contractors' Licensing Board, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing,

he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: The Electrical Contractors' Licensing Board, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, January 12, 2021, 8:30 a.m., reconvene Wednesday, January 13, 2021, 8:30 a.m. and Thursday, January 14, 2021, 8:30 a.m. ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at <https://global.gotomeeting.com/join/780725765>. To attend via Teleconference number: 1(877)568-4106, Participant Code 780-725-765 followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics include, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2, F.A.C., budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: DREFREC@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (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).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, February 16, 2021, 8:30 am, reconvene Wednesday, February 17, 2021, 8:30 am ET or soonest thereafter.

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at <https://global.gotomeeting.com/join/780725765>. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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DATES AND TIMES: Tuesday, March 16, 2021, 8:30 am, reconvene Wednesday, March 17, 2021, 8:30 am ET or soonest thereafter.

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, April 20, 2021, 8:30 am, reconvene Wednesday, April 21, 2021, 8:30 am and Thursday, April 22, 2021, 8:30 am ET or soonest thereafter.

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at <https://global.gotomeeting.com/join/780725765>. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, May 18, 2021, 8:30 am, reconvene Wednesday, May 19, 2021, 8:30 am ET or soonest thereafter.

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at <https://global.gotomeeting.com/join/780725765>. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Tuesday, June 15, 2021, 8:30 am, reconvene Wednesday, June 16, 2021, 8:30 am ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via video streaming, utilize GoToMeeting website at <https://global.gotomeeting.com/join/780725765>. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key

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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 telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 11, 2021, 9:00 a.m. ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key. To attend via video streaming, utilize GoToMeeting App or visit <https://global.gotomeeting.com/join/780725765>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will conduct a private meeting to review cases to determine probable cause and 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 and its counsel.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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DATE AND TIME: Monday, February 15, 2021, 9:00 a.m. ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key. To attend via video streaming, utilize GoToMeeting App or visit <https://global.gotomeeting.com/join/780725765>

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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DATE AND TIME: Monday, March 15, 2021, 9:00 a.m. ET or soonest thereafter

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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 telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 19, 2021, 9:00 a.m. ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key. To attend via video streaming, utilize GoToMeeting App or visit <https://global.gotomeeting.com/join/780725765>

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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 telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 17, 2021, 9:00 a.m. ET or soonest thereafter

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key. To attend via video streaming, utilize GoToMeeting App or visit <https://global.gotomeeting.com/join/780725765>

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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 telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 14, 2021, 9:00 a.m. ET or soonest thereafter.

PLACE: Teleconference/Videoconference meeting to be facilitated from Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801. You may attend via phone or video streaming. To attend via Teleconference number: 1(877)568-4106; Participant Code 780-725-765 followed by the # key. To attend via video streaming, utilize GoToMeeting App or visit <https://global.gotomeeting.com/join/780725765>.

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DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 8, 2021, 2:30 p.m.

PLACE: Meet-Me #: 1(888)585-9008, Participation Code: 432-162-565

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)558-9813 or email her at sheila.autrey@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Sheila Autrey at (850)558-9813 or email her at sheila.autrey@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: Sheila Autrey at (850)558-9813 or email her at sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2021, 2:30 p.m.

PLACE: Meet-Me #: 1(888)585-9008, Participation Code: 432-162-565

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Jacoyia Reddick at (850)558-9848 or email her at Jacoyia.Reddick@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Jacoyia Reddick at (850)558-9848 or email her at Jacoyia.Reddick@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).

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For more information, you may contact: Jacoyia Reddick at (850)558-9848 or email her at Jacoyia.Reddick@flhealth.gov.

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: January 6, 2021, 9:00 a.m.

PLACE: Microsoft Teams Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: The Florida Dept. of Health IRB at IRB@flhealth.gov.

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

For more information, you may contact: IRB@flhealth.gov.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

NOTICE IS HEREBY GIVEN that the FLORIDA OFFICE OF INSURANCE REGULATION (“OFFICE”) has issued an order disposing of the petition for declaratory statement filed by Colón Compañía De Seguros, S.A (“Petitioner”) on September 08, 2020. The following is a summary of the agency's disposition of the petition:

The Petition sought the OFFICE’s opinion as to the interpretation of Sections 624.10(5), 624.401(1), and 624.123(1), Florida Statutes. The question presented was whether these statutes may be interpreted to prohibit an alien insurer from conducting an online campaign within the state of Florida to address Covid-19-related questions and provide answers and resources to insureds located outside the United States, whether Petitioner’s proposed online campaign would constitute the transaction of insurance business in Florida, and whether Florida insurance laws would be implicated by the proposed online campaign. The Office granted the petition. The Office has issued a Declaratory Statement that states that upon reviewing the petition and the provisions of Section 624.123, Florida Statutes, the Office finds that the statute is not applicable to Petitioner’s proposed insurance activities as Petitioner does not propose to transact insurance at international airports in Florida. The Declaratory Statement additionally states that an online advertisement campaign may constitute a “solicitation or inducement” of others to engage in the business of insurance, as described in Section 624.10(5), Florida Statutes, and would generally require a license to be issued pursuant to Section 624.401, Florida Statutes. The Declaratory Statement goes on to state that, based on the Petitioner’s representations, the proposed advertisement campaign will not result in the effectuation of contracts of insurance and that Petitioner’s advertisements do not meet the definition of “solicitation or inducement.”

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Public Records Office, Office of Insurance Regulation, 200 E. Gaines Street, Larson Building, Tallahassee, FL 32399, Telephone: 850-413-4223, E-mail: PublicRecords@flor.com.

Please refer all comments to: Ryan Osborne, Assistant General Counsel, Ryan.Osborne@flor.com.

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

BBICMINC

IFAS 20074 Entomology Room 3302 Renovations

BBI Construction Management, Inc. will be accepting bids for subcontractor participation on the IFAS 20074 – Entomology Room 3302 Renovations, University of Florida, Gainesville, Florida for the following bid packages:

22: Plumbing

23: HVAC

26A: Electrical

26B: Lightning Protection

MANDATORY PRE-BID MEETING: Mandatory pre-bid meeting for Bid Packages 22, 23 & 26 will be held Thursday, January 7, 10:00 a.m. at the University of Florida Entomology Building (#0970), Room 3302, 1881 Natural Area Drive,

Gainesville, FL 32611. All other trades are strongly encouraged to attend.

To obtain bidding documents, pre-qualification information, and directions, please email BBI Construction Management, John McCarter at j.mccarter@bbi-cm.com or (352)338-2073 ext. 102.

Bids exceeding \$75,000 must be sealed and either MAIL or HAND DELIVERED to: BBI Construction Management, Inc., 4639 NW 53rd Avenue, Gainesville, Florida 32653. BIDS DUE NO LATER THAN THURSDAY, JANUARY 14, 2021, 1:00 p.m.

The University of Florida and BBI is committed to Small/HUB Zone/Minority/Small Disadvantaged/Veteran/Service-Disabled Veteran/& Women-Owned businesses and encourages their participation. The University of Florida and BBI Construction Management, Inc. reserves the right to reject any bid if considered to be in best interest of the project. Compliance with UF Purchasing guidelines is required.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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., Thursday, December 17, 2020 and 3:00 p.m., Wednesday, December 23, 2020.

Rule No.	File Date	Effective Date
19B-4.001	12/22/2020	1/11/2021
19B-16.003	12/22/2020	1/11/2021
33-102.201	12/23/2020	1/12/2021
59A-8.007	12/23/2020	1/12/2021
61G3-16.001	12/21/2020	1/10/2021
61G3-16.005	12/21/2020	1/10/2021
61G3-16.008	12/21/2020	1/10/2021
61H1-27.002	12/23/2020	1/12/2021
61H1-38.001	12/23/2020	1/12/2021
64B9-4.002	12/18/2020	1/7/2021
64B10-11.002	12/22/2020	1/11/2021
64B18-11.001	12/18/2020	1/7/2021

64DER20-44	12/17/2020	12/17/2020
68-1.003	12/17/2020	1/6/2021
69A-37.039	12/22/2020	1/11/2021

**LIST OF RULES APPROVED
BY EPA PURSUANT TO
SECTION 373.4146 (2), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
62-330.010	7/21/2020	12/22/2020
62-330.050	6/26/2020	12/22/2020
62-330.060	6/26/2020	12/22/2020
62-330.090	6/26/2020	12/22/2020
62-330.201	6/26/2020	12/22/2020
62-330.340	6/26/2020	12/22/2020
62-330.402	6/26/2020	12/22/2020
62-331.010	7/21/2020	12/22/2020
62-331.020	6/11/2020	12/22/2020
62-331.030	6/11/2020	12/22/2020
62-331.040	6/11/2020	12/22/2020
62-331.050	6/11/2020	12/22/2020
62-331.051	7/21/2020	12/22/2020
62-331.052	7/21/2020	12/22/2020
62-331.053	7/21/2020	12/22/2020
62-331.054	7/21/2020	12/22/2020
62-331.060	7/21/2020	12/22/2020
62-331.070	6/11/2020	12/22/2020
62-331.080	7/21/2020	12/22/2020
62-331.090	7/21/2020	12/22/2020
62-331.100	6/11/2020	12/22/2020
62-331.110	7/21/2020	12/22/2020
62-331.120	7/21/2020	12/22/2020
62-331.130	6/11/2020	12/22/2020
62-331.140	6/11/2020	12/22/2020

62-331.160	7/21/2020	12/22/2020
62-331.200	7/21/2020	12/22/2020
62-331.201	7/21/2020	12/22/2020
62-331.210	7/21/2020	12/22/2020
62-331.211	6/11/2020	12/22/2020
62-331.212	6/11/2020	12/22/2020
62-331.213	6/11/2020	12/22/2020
62-331.214	6/11/2020	12/22/2020
62-331.215	7/21/2020	12/22/2020
62-331.216	7/21/2020	12/22/2020
62-331.217	7/21/2020	12/22/2020
62-331.218	6/11/2020	12/22/2020
62-331.219	6/11/2020	12/22/2020
62-331.220	6/11/2020	12/22/2020
62-331.221	6/11/2020	12/22/2020
62-331.222	6/11/2020	12/22/2020
62-331.223	6/11/2020	12/22/2020
62-331.224	6/11/2020	12/22/2020
62-331.225	7/21/2020	12/22/2020
62-331.226	7/21/2020	12/22/2020
62-331.227	6/11/2020	12/22/2020
62-331.228	6/11/2020	12/22/2020
62-331.229	7/21/2020	12/22/2020
62-331.230	7/21/2020	12/22/2020
62-331.231	7/21/2020	12/22/2020
62-331.233	6/11/2020	12/22/2020
62-331.234	6/11/2020	12/22/2020
62-331.235	6/11/2020	12/22/2020
62-331.236	6/11/2020	12/22/2020
62-331.237	6/11/2020	12/22/2020
62-331.238	6/11/2020	12/22/2020

62-331.239	6/11/2020	12/22/2020
62-331.240	7/21/2020	12/22/2020
62-331.241	6/11/2020	12/22/2020
62-331.242	7/21/2020	12/22/2020
62-331.243	6/11/2020	12/22/2020
62-331.244	6/11/2020	12/22/2020
62-331.245	6/11/2020	12/22/2020
62-331.246	6/11/2020	12/22/2020
62-331.247	6/11/2020	12/22/2020
62-331.248	7/21/2020	12/22/2020

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/*****
60P-1.003	11/5/2019	**/**/*****
60P-2.002	11/5/2019	**/**/*****
60P-2.003	11/5/2019	**/**/*****
64B8-10.003	12/9/2015	**/**/*****

**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.