

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE: 61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

PURPOSE AND EFFECT: The Board proposes a rule amendment to update and clarify the rule language for completing the examination process.

SUBJECT AREA TO BE ADDRESSED: The rule language for completing the examination process.

RULEMAKING AUTHORITY: 455.217(1), 473.304, 473.306 FS.

LAW IMPLEMENTED: 455.217(1), 473.306 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: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, Roger.Scarborough@myfloridalicense.com.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE: 64B8-9.0191 Sex-reassignment Standards of Practice in Minors

PURPOSE AND EFFECT: The Board proposes rule development to replace the emergency rule setting forth the standards of practice under which a patient younger than 18 years of age may continue to be treated with sex-reassignment prescriptions pursuant to section 456.52, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule text.

RULEMAKING AUTHORITY: 456.52 FS.

LAW IMPLEMENTED: 456.52 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: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE: 64B8-9.0192 Mandatory Standardized Informed Consent for Sex-reassignment Prescriptions or Procedures in Adults

PURPOSE AND EFFECT: The Board proposes rule development to replace the emergency rule setting forth the mandatory informed consents for sex-reassignment prescriptions or procedures in adults pursuant to section 456.52, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule text.

RULEMAKING AUTHORITY: 456.52, 458.331(1)(v) FS.

LAW IMPLEMENTED: 456.52, 458.331(1)(v) 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: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE: 64B11-2.011 Definition of Supervised Fieldwork Experience

PURPOSE AND EFFECT: The Board proposes to define requirements for supervised fieldwork experience where no OT services exist.

SUBJECT AREA TO BE ADDRESSED: The rule language.

RULEMAKING AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.209 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

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

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.: RULE TITLE:  
64B11-5.001 Requirements for License Renewal of an Active License; Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule development to conduct a comprehensive review and to determine if there are any needed updates, changes, or corrections to the rule language.

SUBJECT AREA TO BE ADDRESSED: The rule language.

RULEMAKING AUTHORITY: 456.013, 468.204, 468.219 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: RULE TITLE:  
64B15-14.0141 Sex-reassignment Standards of Practice in Minors

PURPOSE AND EFFECT: The Board proposes rule development to replace the emergency rule setting forth the standards of practice under which a patient younger than 18

years of age may continue to be treated with sex-reassignment prescriptions pursuant to section 456.52, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule text.

RULEMAKING AUTHORITY: 456.52 FS.

LAW IMPLEMENTED: 456.52 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: Allen Hall, Interim Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by email at Allen.Hall@flhealth.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: RULE TITLE:  
64B15-14.0142 Mandatory Standardized Informed Consent for Sex-reassignment Prescriptions or Procedures in Adults

PURPOSE AND EFFECT: The Board proposes rule development to replace the emergency rule setting forth the mandatory informed consents for sex-reassignment prescriptions or procedures in adults pursuant to section 456.52, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule text.

RULEMAKING AUTHORITY: 456.52, 459.015(1)(z) FS.

LAW IMPLEMENTED: 456.52, 459.015(1)(z) 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: Allen Hall, Interim Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by email at Allen.Hall@flhealth.gov.

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

## Section II Proposed Rules

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-3.0035  
 RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure

PURPOSE AND EFFECT: To clarify education necessary prior to licensure.

SUMMARY: To clarify education necessary prior to licensure.  
 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: 491.004(5), 491.005(1)(e), 491.0065 FS.

LAW IMPLEMENTED: 491.005(1)(e) 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: Ashleigh Irving, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin

#C08, Tallahassee, Florida 32399-3258, or by email: Ashleigh.Irving@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B4-3.0035. follows. See Florida Administrative Code for present text.)

**64B4-3.0035 Continuing education courses required prior to licensure. Demonstrating Knowledge of Laws and Rules for Licensure.**

(1) An applicant for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling shall provide proof of the following prior to licensure:

(a) Completion of a Law and Rules approved course consisting of a minimum of eight (8) hours which shall include the following subject areas:

1. Chapter 456, Part II, F.S., (Regulation of Professions and Occupations, General Provisions)

2. Chapter 90.503, F.S., (Psychotherapist-Patient Privilege)

3. Chapter 394, F.S., (Part I Florida Mental Health Act)

4. Chapter 397, F.S. (Substance Abuse Services)

5. Chapters 415 and 39, F.S., (Protection from Abuse, Neglect and Exploitation)

6. Chapter 491, F.S., (Clinical, Counseling and Psychotherapy Services)

7. Division 64B4, F.A.C., (Rules of the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling)

(b) Completion of HIV/AIDS education as required by Section 491.0065, F.S.

(2) The Laws and Rules course:

(a) Must provide integration of the above subject areas into the competencies required for clinical practice and must include interactive discussion of clinical case examples applying the laws and rules that govern the appropriate clinical practice.

(b) Must include a testing mechanism on which a passing score of 80 percent must be obtained by the attendee prior to issuing credit. Upon successful completion of the course, the applicant shall submit a copy of the certificate of completion to the Board.

(c) May be offered and conducted on-line but must comply with all aspects of this rule.

(d) Offered by a Board approved laws and rules course provider shall qualify for continuing education credit even if the provider is not an approved continuing education provider pursuant to rule 64B4-6.004, F.A.C.

(3) HIV/AIDS education as required by Section 491.0065, F.S.:

(a) Must meet one of the requirements of subsection 64B4-6.0021(1), F.A.C., and which provide a minimum of three hours

of HIV/AIDS education, including education on protocols and procedures applicable to HIV counseling, testing, reporting and partner notification, or

(b) Must be approved by the Department of Health pursuant to Section 381.0038, F.S.

(c) May be completed within six-month of filing the application if the applicant submits an affidavit with the application showing good cause for the six-month extension. Good cause may be shown by presenting proof of personal illness or illness involving a close relative or a person for whom the applicant has care-giving responsibility or where the applicant can demonstrate economic technological or legal hardship that relates to the ability to perform or successfully complete the course requirement.

(d) May be met if the applicant holds an additional license concurrent with a license under 491 and can show proof of having completed a board-approved course on HIV/AIDS for the purpose of relicensure or recertification for the additional license.

(4) For purposes of this rule, an hour is defined as a 60-minute clock hour in which there is no less than 50 minutes of uninterrupted instruction.

(5) Laws and rules courses may be offered and conducted on-line but must comply with all aspects of this rule. Such courses must include real time (contemporaneous) interactive discussions as required by subsection (2) of this rule.

Rulemaking Authority 491.004(5), 491.005(1)(e), 491.0065 FS. Law Implemented 491.005(1)(e) FS. History—New 12-28-99, Amended 8-9-00, 10-16-03, 10-7-12, 6-30-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 15, 2023

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: 64B7-32.003  
RULE TITLE: Minimum Requirements for Board Approved Massage Therapy Schools

PURPOSE AND EFFECT: The Board proposes to clarify Revocation vs Rescission.

SUMMARY: To clarify Revocation vs Rescission.

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: 480.033(3), 480.035(7) FS.

LAW IMPLEMENTED: 480.033(3), 480.041(1)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Acting Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Allen.Hall@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B7-32.003 Minimum Requirements for Board Approved Massage Therapy Schools.**

(1) through (2) No Change.

(3) Approval of an in-state board approved massage therapy school shall be revoked ~~rescinded~~ or other action taken if the school:

(a) through (e) No Change.

(4) No Change.

(5) The Board shall review approval of an in-state board approved massage therapy school when a change in ownership occurs. If the Board determines that the school is in noncompliance with any provision of Chapter 480, F.S., and Chapter 64B7-32, F.A.C., or part therein, it may impose one of the following:

(a) No Change.

(b) ~~Revocation~~ ~~Rescission~~ of board approval.

Rulemaking Authority 480.033(3), 480.035(7) FS. Law Implemented 480.033(3), 480.041(1)(b) FS. History—New 3-25-86, Amended 8-15-89, 12-22-92, Formerly 21L-32.003, Amended 10-20-96, Formerly 61G11-32.003, Amended 8-16-98, 10-30-07, 4-25-10, 5-8-12, 3-21-18, 8-31-20, 11-4-21, 2-2-22, 6-5-23, \_\_\_\_\_.

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: August 16, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 15, 2023

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: RULE TITLE:

64B19-13.003 Continuing Psychological Education Credit

PURPOSE AND EFFECT: The Board proposes a rule amendment that updates the requirements regarding continuing psychological education credit granted for service as the Board’s Continuing Education Liaison and the Board’s Subject Matter Expert.

SUMMARY: The proposed amendment updates the credit hour granted for board members serving as the Board’s Continuing Education Liaison an as the Board’s Subject Matter Expert (SME).

**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(6), (7), (9), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(6), (7), (9), 490.007(2), 490.0085(1), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253 – Allen.Hall@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B19-13.003 Continuing Psychological Education Credit.**

(1) Continuing psychological education credit will be granted for:

(a) through (h) No Change.

(i) Service as the Board’s Continuing Education Liaison shall entitle the board member to receive one credit hour for each hour of review, up to a maximum of (10) hours.

(j) Service as the Board’s Subject Matter Expert (SME) shall entitle the board member to receive one credit hour for each hour of review, up to a maximum of (10) hours.

~~(k)(+)~~ Completion of continuing education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, provided that such courses enhance the psychological skills and/or psychological knowledge of the licensee;

~~(l)(+)~~ The provision of volunteer expert witness opinions for cases being reviewed pursuant to laws and standards relevant to the practice of psychology. Two hours of credit shall be awarded for each case reviewed up to a maximum of ten hours per biennium. In this regard, volunteer expert witnesses are expected to perform a review of the psychological, medical, legal, and/or ethical literature, as appropriate to the case being reviewed;

~~(m)(+)~~ Serving on American Psychological Association and/or Florida Psychological Association chapter, state, or national boards, editorial boards of peer reviewed journals related to psychology, scientific grant review teams; a maximum of five (5) continuing psychological education credits will be granted per renewal period;

~~(n)~~(4) Teaching as an adjunct professor a graduate level course in psychology or related to psychology in a regionally accredited institution; a maximum of twenty (20) continuing education credits will be granted for the first time teaching per course for each renewal period;

~~(o)~~(m) Publishing in the field of psychology (research, peer-reviewed articles, books, book chapters, textbooks or editor or co-editor of peer reviewed journals); a maximum of ten (10) continuing psychological education credits will be granted per publication per renewal period, not to exceed thirty (30) continuing psychological education credits per renewal period;

~~(p)~~(n) Performance of Pro Bono Services – A licensee may receive up to six (6) hours per biennium of continuing education credit through the performance of pro bono services to the indigent as provided in section 456.013(9), F.S., or to underserved populations, or in areas of critical need within the state where the licensee practices. In order to receive credit under this rule, licensees must make a written request to the Board and receive approval prior to performing pro bono services in advance. One (1) hour credit shall be given for each two (2) hours worked. In the written request, licensees shall disclose the type, nature and extent of services to be rendered, the facility where the services will be rendered, the number of patients expected to be serviced, and a statement indicating that the patients to be served are indigent. If the licensee intends to provide services in underserved or critical need areas, the written request shall provide a brief explanation as to those facts.

(2) through (5) No Change.

Rulemaking Authority 456.013(6), (7), (9), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(6), (7), (9), 490.007(2), 490.0085(1), (3) FS. History—New 1-28-93, Amended 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, 12-31-06, 2-24-08, 5-26-08, 1-7-09, 11-8-10, 3-18-14, 11-1-17, 2-23-23,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 13, 2023

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.004	Recreational Amberjack Season
68B-14.0045	Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits

**PURPOSE AND EFFECT:** The Florida Fish and Wildlife Conservation Commission is modifying greater amberjack recreational and commercial regulation limits in Atlantic state waters based on the results of a recent stock assessment and stakeholder feedback about the Atlantic greater amberjack fishery. A recent stock assessment determined Atlantic greater amberjack is not overfished or undergoing overfishing, and the South Atlantic Fishery Management Council recently took action to amend greater amberjack commercial and recreational regulations.

The purpose of these rule changes is to modify greater amberjack commercial and recreational regulations in Atlantic state waters to provide additional conservation benefits and harvest opportunities.

The effect of the rule amendments for greater amberjack is to reduce the commercial size limit from 36 to 34 inches fork length for Atlantic state waters, reduce the statewide import size limit from 36 to 34 inches fork length, establish a recreational spawning season closure in April for Atlantic state waters, and remove outdated commercial language.

**SUMMARY:** These rule amendments modify the greater amberjack commercial size limit and recreational season in Atlantic state waters, as well as modify the statewide greater amberjack statewide import size limit and remove outdated commercial language.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850) 488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850) 487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

**68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.**

No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

(1) Amberjacks (measured in terms of fork length).

(a) through (b) No change.

(c)1. Greater amberjack harvested recreationally from the Atlantic Ocean 28 inches.

2. Greater amberjack harvested recreationally from the Gulf of Mexico 34 inches consistent with the Federal Standards established in 50 C.F.R. §622.37(c)(4) as of January 4, 2016.

3. Greater amberjack harvested commercially from the Gulf of Mexico 36 inches.

4. Greater amberjack harvested commercially from the Atlantic Ocean 34 inches.

(d) Lesser amberjack no less than 14 inches, no greater than 22 inches.

(2) through (7) No change.

**PROPOSED EFFECTIVE DATE:** October 26, 2023.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 3-23-12, 6-10-13, 7-9-15,

1-4-16, 6-1-16, 7-1-16, 11-17-16, 1-1-17, 8-24-17, 1-16-18, 7-23-18, 1-15-19, 7-1-19, 7-1-20, 7-1-22, 10-26-23.

**68B-14.00355 Size Limits for Importation and Sale.**

(1) No person shall possess for purposes of sale, purchase, sell, or exchange any of the following species of a length less than set forth as follows:

(a) No change.

(b) Greater amberjack 34 inches fork length.

(c) through (f) No change.

(2) through (4) No change.

**PROPOSED EFFECTIVE DATE:** October 26, 2023.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-03, Amended 9-16-05, 7-1-06, 7-1-07, 4-1-08, 8-27-09, 3-23-12, 7-9-15, 11-17-16, 1-1-17, 8-24-17, 7-1-19, 7-1-22, 10-26-23.

**68B-14.004 Recreational Amberjack Season.**

(1) In all state waters of the Gulf of Mexico the recreational harvest and possession of greater amberjack shall be prohibited November 1 through April 30 and June 1 through July 31, each year (consistent with the Federal Standard established in 50 C.F.R. §622.34(c) as of April 30, 2018).

(2) In all state waters of the Atlantic Ocean the recreational harvest and possession of greater amberjack shall be prohibited in the month of April, each year.

**PROPOSED EFFECTIVE DATE:** October 26, 2023.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-17-11, Amended 4-30-18, 10-26-23.

**68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits.**

(1) No change.

(2) Season Closures.

(a) through (d) No change

~~(e) During the months of March, April and May of each year, the harvest and possession in quantities greater than the recreational bag limits specified in Rule 68B-14.0036, F.A.C., and the purchase, sale and exchange of any species of amberjack harvested from state waters, is prohibited.~~

(e)(f) During the period beginning September 20 and continuing through October 4 of each year, no black sea bass trap as defined in Rule 68B-4.020 and in paragraph 68B-14.005(1)(b), F.A.C., shall be placed in state waters of the Gulf of Mexico seaward of three nautical miles from shore.

(3) Bag and Trip Limits.

(a) through (b) No change.

~~(e) Amberjack. Except during the three month closed season specified in paragraph (2)(e), no more than 1,000 pounds of greater amberjack harvested in or from state waters of the~~

~~Atlantic Ocean shall be possessed aboard any vessel or landed from such a vessel per day.~~

~~(c)(4)~~No person harvesting for commercial purposes shall, on the same trip, harvest or possess reef fish species pursuant to the recreational bag limit specified in Rule 68B-14.0036, F.A.C.

**PROPOSED EFFECTIVE DATE:** October 26, 2023.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03, 7-15-04, 5-20-05, 9-16-05, 3-10-06, 7-1-07, 4-1-08, 8-27-09, 1-19-10, 1-12-11, 6-10-13, 10-16-14, 7-1-16, 1-1-17, 1-1-19, 7-1-19, 10-26-23.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 10, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 28, 2023

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 69O-143.0465  
RULE TITLE: Group-wide Supervision of Internationally Active Insurance Groups

PURPOSE AND EFFECT: The Office of Insurance Regulation is promulgating rule 69O-143.0465, to reinstate the definition of the term “insurance holding company system.” It also replaces the term “group-wide” with the statutory term “groupwide.”

SUMMARY: The proposed rule reinstates the definition of “insurance holding company system” that was repealed in 2013. This term is used in existing rules including rules 69O-143.046, 69O-143.0465, 69O-143.047, and 69O-143.061, F.A.C. It also replaces the term “group-wide” with the statutory term “groupwide.”

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

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

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

RULEMAKING AUTHORITY: 624.308(1), 628.801(1), 628.804(4), F.S.

LAW IMPLEMENTED: 624.307(1), 628.801, 628.804, 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: Kama Monroe, Senior Attorney, Office of Insurance Regulation, Kama.Monroe@flor.com, (850)413-4121.

THE FULL TEXT OF THE PROPOSED RULE IS:

**69O-143.0465 Groupwide ~~Group-wide~~ Supervision of Internationally Active Insurance Groups**

(1) No change.

(2) “Insurance Holding Company System” consists of two or more affiliated persons, one or more of which is an insurer.

~~(3)(2)~~(a) The Office is authorized to act as the groupwide ~~group-wide~~ supervisor for any internationally active insurance group in accordance with Rule 69O-143.046, F.A.C., and Section 628.804, F.S. However, the Office may otherwise acknowledge another regulatory official as the groupwide ~~group-wide~~ supervisor where the internationally active insurance group:

1. through 2. No change.

3. Has substantial insurance operations in the United States and this state, but the Office has determined pursuant to the factors set forth in subsections (4) and (8) ~~(3) and (7)~~ that the other regulatory official is the appropriate groupwide ~~group-wide~~ supervisor.

(b) An insurance holding company system that does not otherwise qualify as an internationally active insurance group may request that the Office make a determination or acknowledgment as to a groupwide ~~group-wide~~ supervisor pursuant to this subsection.

~~(4)(3)~~(a) In cooperation with other state, federal and international regulatory agencies, the Office will identify a single groupwide ~~group-wide~~ supervisor for an internationally active insurance group. The Office may determine that the Office is the appropriate groupwide ~~group-wide~~ supervisor for an internationally active insurance group that conducts substantial insurance operations concentrated in this state. However, the Office may acknowledge that a regulatory official from another jurisdiction is the appropriate groupwide ~~group-wide~~ supervisor for the internationally active insurance group.



The Office shall consider the following factors when making a determination or acknowledgment under this subsection:

1. through 3. No change.

4. Whether another regulatory official is acting or is seeking to act as the groupwide ~~group-wide~~ supervisor under a regulatory system that the Office determines to be:

a. No change.

b. Otherwise sufficient in terms of providing for groupwide ~~group-wide~~ supervision, enterprise risk analysis, and cooperation with other regulatory officials; and

5. Whether another regulatory official acting or seeking to act as the groupwide ~~group-wide~~ supervisor provides the Office with reasonably reciprocal recognition and cooperation.

(b) However, a regulatory official identified under this rule as the groupwide ~~group-wide~~ supervisor may determine that it is appropriate to acknowledge another supervisor to serve as the groupwide ~~group-wide~~ supervisor. The acknowledgment of the groupwide ~~group-wide~~ supervisor shall be made after consideration of the factors listed in subparagraphs (a)1. through (a)5. above, and shall be made in cooperation with and subject to the acknowledgment of other regulatory officials involved with supervision of members of the internationally active insurance group, and in consultation with the internationally active insurance group.

(5)(4) Notwithstanding any other provision of law, when another regulatory official is acting as the groupwide ~~group-wide~~ supervisor of an internationally active insurance group, the Office shall acknowledge that regulatory official as the groupwide ~~group-wide~~ supervisor. However, in the event of a material change in the internationally active insurance group that results in:

(a) No change.

(b) This state being the place of domicile of the top-tiered insurer(s) in the insurance holding company system of the internationally active insurance group, the Office shall make a determination or acknowledgment as to the appropriate groupwide ~~group-wide~~ supervisor for such an internationally active insurance group pursuant to subsection (4)(3).

(6)(5) Pursuant to Section 628.801(3), F.S., the Office is authorized to collect from any insurer registered pursuant to Rule 69O-143.046, F.A.C., all information necessary to determine whether the Office may act as the groupwide ~~group-wide~~ supervisor of an internationally active insurance group or if the Office may acknowledge another regulatory official to act as the groupwide ~~group-wide~~ supervisor. Prior to issuing a determination that an internationally active insurance group is subject to groupwide ~~group-wide~~ supervision by the Office, the Office shall notify the insurer registered pursuant to Rule 69O-143.046, F.A.C., and the ultimate controlling person within the internationally active insurance group. The internationally active insurance group shall have not less than thirty (30) days

to provide the Office with additional information pertinent to the pending determination. The Office shall publish the identity of internationally active insurance groups that the Office has determined are subject to groupwide ~~group-wide~~ supervision by the Office.

(7)(6) If the Office is the groupwide ~~group-wide~~ supervisor for an internationally active insurance group, the Office is authorized to engage in any of the following groupwide ~~group-wide~~ supervision activities.

(a) through (d) No change.

(e) Enter into agreements with or obtain documentation from any insurer registered under Rule 69O-143.046, F.A.C., any member of the internationally active insurance group, and any other state, federal and international regulatory agencies for members of the internationally active insurance group, providing the basis for or otherwise clarifying the Office's role as groupwide ~~group-wide~~ supervisor, including provisions for resolving disputes with other regulatory officials. Such agreements or documentation shall not serve as evidence in any proceeding that any insurer or person within an insurance holding company system not domiciled or incorporated in this state is doing business in this state or is otherwise subject to jurisdiction in this state.

(f) Other groupwide ~~group-wide~~ supervision activities, consistent with the authorities and purposes enumerated above, as considered necessary by the Office.

(8)(7) If the Office acknowledges that another regulatory official from a jurisdiction that is not accredited by the NAIC is the groupwide ~~group-wide~~ supervisor, the Office is authorized to reasonably cooperate, through supervisory colleges or otherwise, with groupwide supervision undertaken by the groupwide ~~group-wide~~ supervisor, provided that:

(a) No change.

(b) The regulatory official acknowledged as the groupwide ~~group-wide~~ supervisor also recognizes and cooperates with the Office's activities as a groupwide ~~group-wide~~ supervisor for other internationally active insurance groups where applicable. Where such recognition and cooperation is not reasonably reciprocal, the Office is authorized to refuse recognition and cooperation.

(9)(8) The Office is authorized to enter into agreements with or obtain documentation from any insurer registered under Rule 69O-143.046, F.A.C., any affiliate of the insurer, and other state, federal and international regulatory agencies for members of the internationally active insurance group, that provide the basis for or otherwise clarify a regulatory official's role as groupwide ~~group-wide~~ supervisor.

Rulemaking Authority 624.308(1), 628.801(1), 628.804(4) FS. Law Implemented 624.307(1), 628.801, 628.804 FS. History-New 1-3-21, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kama Monroe, Assistant General Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: September 18, 2023  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: July 24, 2023

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 690-144.002  
RULE TITLE: Reinsurance Application Procedures

PURPOSE AND EFFECT: The proposed amendment to Rule 690-144.002, F.A.C., promulgates a revised version of Form OIR-C1-923, “Application for Accredited Reinsurer Status.” The version revises the directions to accurately describe where the applicant should submit their completed application packet and what email addresses they should use for assistance. Also, cross reference to where forms are incorporated are being updated and a typo is being corrected.

SUMMARY: The proposed amendment to Rule 690-144.002, F.A.C., promulgates a revised version of Form OIR-C1-923, “Application for Accredited Reinsurer Status.” The version revises the directions to accurately describe where the applicant should submit their completed application packet and what email addresses they should use for assistance. Also, cross reference to where forms are incorporated are being updated and a typo is being corrected.

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

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

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

RULEMAKING AUTHORITY: 624.308, 624.610(15), FS.

LAW IMPLEMENTED: 624.307(1), (3), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.407, 624.413, 624.424, 624.610, 628.051, 628.061, 628.801, 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, Assistant General

Counsel, Office of Insurance Regulation,  
Kama.Monroe@flor.com, (850)413-4121.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-144.002 Reinsurance Application Procedures.**

(1) No Change

(2)(a) An assuming insurer seeking accredited reinsurer status in this state, pursuant to Section 624.610(3), F.S. and Rule 690-144.005, F.A.C., shall file an application in compliance with the directions in Form OIR-C1-923, “Application for Accredited Reinsurer Status,” effective ~~07/23 5/22~~, which is hereby incorporated by reference and available at ~~http://www.flrules.org/Gateway/reference.asp?No=Ref 14670.~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14670>. The forms incorporated by reference in this paragraph may be obtained from <https://www.flor.com/iportal>. The insurer shall further submit, or otherwise comply with, the following:

1. Form OIR-A1-2116, “Form C Summary of Changes to Registration Statement,” effective 9/21, is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref 14666>;

2. Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.; “Instructions for Furnishing Background Investigative Reports,” effective 6/20, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14669>;

3. Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.; “Fingerprint Payment and Submission Procedure,” effective 9/21, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14671>;

4. Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.; “Uniform Certificate of Authority Application (UCAA) Biographical Affidavit,” effective 12/20, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14674>;

5. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

6. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

7. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

8. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

9. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

10. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

11. Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;

12. Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;

13. Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;

14. Form OIR-C1-1464, "Florida Certificate of Assuming Insurer," effective 9/21, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14675>, as required by paragraph 69O-144.005(2)(a), F.A.C.;

~~15.6. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; and, "Uniform Certificate of Authority Application (UCAA) Uniform Consent to Service of Process," effective 12/19, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14676>;~~

~~7. Form OIR-D0-516, "Form B Insurance Holding Company System Registration Statement," effective 9/21, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14681>; and;~~

~~16. 8. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; "Management Information Form," effective 6/20, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14680>.~~

(b) No Change

(3)(a) An assuming insurer seeking trustee reinsurer status in this state, pursuant to Section 624.610(3)(c), F.S. and subparagraph 69O-144.006(1)(a)1., F.A.C., shall file an application in compliance with the directions in Form OIR-C1-1466, "Application for Trustee Reinsurer Status," effective 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14682>. The insurer shall further submit, or otherwise comply with, the following:

1. A copy of its annual statement with information substantially the same as that required to be reported in the NAIC Annual Statement form by authorized insurers, as incorporated by reference in Rule 69O-137.001, F.A.C., in the same format required by such form and including all supporting documents;

2. A certified copy of the trust agreement and any trust amendments, including an approval from the insurance regulator of the state in which the trust is domiciled or of the insurance regulator of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust;

3. A statement from the trustee of the trust to the insurance regulator having regulatory oversight of the trust certifying the

balance of the trust and the trust's investments at the preceding year end with certification that the trust will not expire prior to the following December 31;

4. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2);

5. Form OIR-C1-1469, "Certificate of Assuming Insurer to Submit to Examination and Bear the Cost of Examination," effective 9/21, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14683>;

6. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2); and

7. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. subsection (2).

(b) An assuming insurer seeking to maintain its trustee reinsurer status in this state, pursuant to Section 624.610(3)(c), F.S., and subparagraph 69O-144.006(1)(a)2., F.A.C., shall:

1. File annually with the Office substantially the same information as that required to be reported on the NAIC Annual Statement form by authorized insurers, which is incorporated in Rule 69O-137.001, F.A.C., to enable the Office to determine the sufficiency of the trust fund; and,

2. Comply with the ongoing requirements in subsection 69O-144.006(1), F.A.C.

(4)(a) An assuming insurer seeking certified reinsurer status in this state, pursuant to Section 624.610(3), F.S. and paragraph 69O-144.007(8)(a), F.A.C., shall file an application in compliance with the directions in Form OIR-C1-996, "Application for Certified Reinsurer Status," effective 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14672>. The insurer shall further submit, or otherwise comply with, the following:

1. – 7. No Change

8. Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.; "Uniform Certificate of Authority Application (UCAA) Lines of Insurance," effective 9/21, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14673>;

9. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2); and

10. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. subsection (2).

(b)-(c) No Change

(5)(a) An assuming insurer seeking reciprocal jurisdiction reinsurer status in this state, pursuant to Section 624.610(4), F.S., and paragraph 69O-144.011(3)(e), F.A.C., shall, on behalf of itself and any legal predecessors, file an application in compliance with the directions in Form OIR-C1-518, "Application for Reciprocal Jurisdiction Reinsurer Status," effective 5/22, which is hereby incorporated by reference and

available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14668>. The insurer shall further submit, or otherwise comply with, the following:

- 1.-6. No Change
- 7. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~subsection (2)~~;
- 8. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~subsection (2)~~; and,
- 9. Any other information required or requested by the Office, pursuant to Section 624.610(4), F.S., or subsection 69O-144.011(3), F.A.C., provided that such requirements are not in conflict with an applicable covered agreement.

(b)-(d) No Change

(6) No Change.

Rulemaking Authority 624.308, 624.610(15) FS. Law Implemented 624.307(1), (3), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.407, 624.413, 624.424, 624.610, 628.051, 628.061, 628.801 FS. History—New 1-30-91, Formerly 4-108.002, Amended 5-12-94, 10-13-02, Formerly 4-144-002, Amended 9-14-06, 9-13-22, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kama Monroe, Assistant General Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2023

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-151.001	Purpose
69O-151.002	Definition of Replacement
69O-151.003	Other Definitions
69O-151.004	Exemptions
69O-151.005	Duties of Agent
69O-151.006	Duties of Replacing Agent
69O-151.007	Duties of Replacing Insurers
69O-151.008	Duties of the Existing Insurer
69O-151.009	Penalties
69O-151.010	Approved Forms
69O-151.012	Separability
69O-151.101	Purpose
69O-151.102	Scope
69O-151.106	Violation
69O-151.107	Effective Date
69O-151.201	Purpose and Scope
69O-151.202	Requirements
69O-151.203	Adoption of Form OIR-D0-1180

PURPOSE AND EFFECT: The Office of Insurance Regulation is amending rules 69O-151.002, 69O-151.003, 69O-151.004,

69O-151.007, 69O-151.008, 69O-151.010, 69O-151.102, 69O-151.201, 69O-151.202, to update form references, remove duplicative language, correct citations to the laws implemented and make grammatical and stylistic changes to improve readability. Rules 69O-151.001, 69O-151.005, 69O-151.006, 69O-151.009, 69O-151.012, 69O-151.101, 69O-151.106, 69O-151.107, and 69O-151.203, are being repealed in their entirety. SUMMARY: Unnecessary provisions in these rules, including statements of purpose, duplicative rules, definitions of terms not used in the rules, and rules regarding effective dates and severability are being repealed. To accomplish this, the rule package repeals, in whole or in part, rules 69O-151.001, 69O-151.003, 69O-151.009, 69O-151.012, 69O-151.101, 69O-151.106, 69O-151.107, and 69O-151.201. Rules 69O-151.005, 69O-151.006, F.A.C., are being repealed because they are duplicative of rules 69B-151.005, and 69B-151.006.

References to forms are being updated to refer to them by the proper form names and form numbers, and to remove references to the forms as “Exhibits A and B.” These changes can be found in sections 69O-151.007, 69O-151.008, 69O-151.010, 69O-151.202. In addition, forms OIR-B2-312, OIR-B2-313, and OIR-B2-1180 are being amended to remove the term “exhibit” and update the footnotes which includes the form number, authorizing rule, and adoption date.

Third, the laws implemented sections are being updated. Section 627.4554, F.S., is being added to the list of laws implemented in rules 69O-151.004, 69O-151.202, and 69O-151.203, and references to 95-219, L.O.F., are being removed as redundant.

Minor changes are being made to rules 69O-151.004, 69O-151.102, 69O-151.201, and 69O-151.202, to remove outdated language, provide consistent references to rule numbers, and eliminate references to the “F.A.C.”

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

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

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

RULEMAKING AUTHORITY: 624.308, 626.9611, 626.9521, 626.9541, 626.9641, FS.

LAW IMPLEMENTED: 624.307, 626.9521, 626.9541, 626.9641, 626.99, 627.4554, 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, Assistant General Counsel, Office of Insurance Regulation, Kama.Monroe@flor.com, (850)413-4121.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-151.001 Purpose.**

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541 FS. History—New 7-9-81, Formerly 4-24.01, 4-24.10, 4-24.010, 4-151.001, ~~Repealed~~.

**690-151.002 Definition of Replacement.**

“Replacement” means any transaction in which new life insurance is to be purchased, and it is known or should be known to the ~~proposing agent~~ or to the proposing insurer that by reason of such transaction existing life insurance has been or is to be:

- (1) Lapsed, forfeited, surrendered, or otherwise terminated;
- (2) Converted to reduced paid-up insurance, continued as extended term insurance, or otherwise reduced in value by the use of nonforfeiture benefits or other policy values;
- (3) Amended so as to effect either a reduction in benefits or in the term for which coverage would otherwise remain in force or for which benefits would be paid;
- (4) Reissued with any reduction in cash value; or
- (5) Pledged as collateral or subjected to borrowing, whether in a single loan or under a schedule of borrowing over a period of time, for amounts in aggregate exceeding twenty-five (25%) of the loan value set forth in the policy.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.02, 4-24.11, 4-24.011, 4-151.002, Amended.

**690-151.003 Other Definitions.**

(1) ~~“Cash Dividend” means the current illustrated dividend which can be applied toward payment of the gross premium.~~

(2) “Existing Insurer” means the insurance company whose policy is or will be changed or terminated in such a manner as described within the definition of “replacement.”

(3) “Existing Life Insurance” means any life insurance in force including life insurance under a binding or conditional receipt or a life insurance policy that is within an unconditional refund period, but excluding life insurance obtained through the exercise of a dividend option.

(4) ~~“Generic Name” means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.~~

(5) ~~“Replacing Insurer”~~ means the insurance company that issues a new policy which is a replacement of existing life insurance.

(6) “Sales Proposal” means individualized, written sales aids of all kinds, which are used by an insurer or agent in comparing existing life insurance to proposed life insurance in order to recommend the replacement or conservation of existing life insurance. Sales aids of a generally descriptive nature, which are maintained in the insurer’s advertising compliance file, shall not be considered a Sales Proposal within the meaning of this definition.

(7) “Life Insurance” shall include annuities, tax sheltered annuities or life insurance policies which qualify under the definition of tax sheltered annuities.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Amended 2-2-83, Formerly 4-24.12, 4-24.012, 4-151.003, Amended.

**690-151.004 Exemptions.**

Unless otherwise specifically included, ~~paragraph~~ Rules 690-151.007(3)(b) and ~~subsection~~ 690-151.008(1), ~~F.A.C.~~, shall not apply to:

- (1) Industrial Insurance;
- (2) Group, franchise, and individual credit life insurance;
- (3) Group life insurance and life insurance policies issued in connection with a pension, profit sharing or other benefit plan qualifying for tax deductibility of premiums;
- (4) An application to the existing insurer that issued the existing life insurance where a contractual change or conversion privilege is being exercised;
- (5) Existing life insurance that is a non-convertible term life insurance policy which will expire in five years or less and cannot be renewed, unless such policy has tabular cash values; or

(6) Proposed life insurance that is to replace existing life insurance issued under a binding or conditional receipt delivered by the same company;

(7) Variable life insurance or annuities under which the death benefits and cash values vary in accordance with unit values of investments held in a separate account,

(8) Transactions involving annuity contracts which are governed by Rule 69B-162.011.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, 627.4554 FS. History—New 7-9-81, Formerly 4-24.03, Amended 2-2-83, Formerly 4-24.13, 4-24.013, 4-151.004, Amended.

**690-151.005 Duties of Agent.**

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-8-81, Formerly 4-24.04, 4-24.14, 4-24.014, 4-151.005, Repealed.

**690-151.006 Duties of Replacing Agent.**

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.04, Amended 2-2-83, Formerly 4-24.15, 4-24.015, 4-151.006, Repealed.

**690-151.007 Duties of Replacing Insurers.**

Each replacing insurer shall:

(1) Inform its field representatives of the requirements of these rules.

(2) Require with or as part of each completed application for life insurance:

(a) A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and,

(b) A statement signed by the agent as to whether or not he or she knows replacement is or may be involved in the transaction.

(3) Where a replacement is involved:

(a) Require from the agent with the application for life insurance a completed copy of Form OIR-B2-312 rev. 07/23, as adopted in Rule 69B-151.010, ~~the “Notice to Applicant Regarding Replacement of Life Insurance” (Exhibit A)~~ and a copy of all Sales Proposals used for presentation to the applicant.

(b) Send to the applicant when requested, ~~in the “Notice to the Applicant Regarding Replacement of Life Insurance” (Exhibit A)~~, a completed Form OIR-B2-313, rev. 07/23 as adopted in Rule 69B-151.010, ~~“Comparative Information Form,” (Exhibit B)~~ containing complete information required by the Form regarding the proposed insurance. This must be done within five (5) working days of the date the application and the Form OIR-B2-312, rev. 07/23 ~~“Notice to the Applicant Regarding Replacement of Life Insurance” (Exhibit A)~~ are received at its Home or Regional Office, or the date its policy is issued, whichever is sooner. Exemptions from compliance with the provisions of this paragraph are set forth in Rule 690-151.004, F.A.C.

(c) Send to the existing insurer a copy of the Form OIR-B2-312 rev. 07/23 ~~“Notice to the Applicant Regarding the Replacement of Life Insurance” (Exhibit A)~~ immediately upon receipt at its Home or Regional Office. The mailing address to be used for the existing insurer is the address under which that insurer is registered with the Office of Insurance Regulation.

(d) Provide to each prospective purchaser a buyer’s guide and a policy summary prior to accepting any applicant’s initial premium or premium deposit, unless the policy for which application is made contains a provision for an unconditional refund for a period of at least 10 days, or unless the policy summary contains an offer of such an unconditional refund, in which event the buyer’s guide and policy summary must be delivered with the policy or prior to delivery of the policy.

(e) Maintain copies of the Form OIR-B2-312 rev. 07/23, and Form OIR-B2-313 rev. 07/23, if requested by the applicant, ~~“Notice to Applicant Regarding Replacement of Life Insurance,” requested Comparative Information Forms~~ and all Sales Proposals used, and a replacement register, cross indexed, by replacing agent and existing insurer to be replaced, for at least three (3) years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state of domicile, whichever is later.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, 626.99, FS. History—New 7-9-81, Formerly 4-24.05, Amended 2-2-83, Formerly 4-24.16, 4-24.016, 4-151.007, Amended \_\_\_\_\_.

**690-151.008 Duties of the Existing Insurer.**

Each existing insurer shall inform its responsible personnel of the requirements of these rules. Each existing insurer shall:

(1) Within ten (10) days from the date it receives the Form OIR-B2-312, rev. 07/23, ~~“Notice to the Applicant Regarding Replacement of Life Insurance,” (Exhibit A)~~, furnish the policyowner, when requested, a Form OIR-B2-313, rev. 07/23, ~~in the Notice (Exhibit A) with a “Comparative Information Form” (Exhibit B)~~ concerning the existing life insurance. The values shown on Form OIR-B2-313 rev. 07/23, ~~in this Form (Exhibit B)~~ shall be computed from the current policy year of the existing life insurance. Exemptions from compliance with the provisions of this section are set forth in Rule 690-151.004, F.A.C.

(2) Maintain a file containing the following:

(a) Copies of the Form OIR-B2-312, rev. 07/23 ~~“Notice to the Applicant Regarding Replacement of Life Insurance,” (Exhibit A)~~ received from replacing insurers; and,

(b) Copies of the fully completed Form OIR-B2-313, rev. 07/23, ~~Comparative Information Forms~~ prepared pursuant to Rule subsection 690-151.008(1), F.A.C.

(3) This material shall be indexed by replacing insurer and held for three (3) years or until the conclusion of the next regular examination conducted by the Insurance Department of its domicile, whichever is later.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, FS. History—New 7-9-81, Formerly 4-24.05, Amended 2-2-83, Formerly 4-24.17, 4-24.017, 4-151.008, Amended \_\_\_\_\_.

**690-151.009 Penalties.**

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.06, 4-24.19, 4-24.019, 4-151.009, Repealed.

**690-151.010 Approved Forms.**

~~The forms OIR B2 312 “Notice to Applicant Regarding Replacement of Life Insurance”, rev. 1-91, and OIR B2 313~~

~~“Comparative Information Form”, rev. 1-91 set forth respectively in Exhibits A and B are hereby approved and shall be used as specified in these rules. Copies of the above-mentioned forms are available to the public through the Office of Insurance Regulation, Bureau of Life and Health Forms and Market Conduct Review, Division of Insurer Services, 335 Larson Building, Tallahassee, Florida.~~

(1) Form OIR-B2-312, “Notice to Applicant Regarding Replacement of Life Insurance,” rev. 07/23, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). The form may be obtained from <https://www.floir.com>.

(2) Form OIR-B2-313, “Comparative Information Form for Proposed Insurance,” rev. 07/23, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX). The form may be obtained from <https://www.floir.com>.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.99 FS. History—New 7-9-81, Amended 11-5-82, 2-2-83, Formerly 4-24.21, Amended 3-11-91, Formerly 4-24.021, 4-151.010, Amended.

**69O-151.012 Separability.**

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.20, 4-24.020, 4-151.012, Repealed.

**69O-151.101 Purpose.**

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.01, 4-44.001, 4-151.101, Repealed.

**69O-151.102 Scope.**

~~These rules—Rules 69O-151.102 through 69O-151.104 apply to the solicitation of accident and health insurance covering residents of this state. They do not apply to the solicitation of the following accident and health insurance:~~

- ~~(1) Group, blanket or franchise;~~
- ~~(2) Accident only;~~
- ~~(3) Single premium nonrenewable;~~
- ~~(4) Conversion to another individual or family policy issued by the same insurer with continuous coverage;~~
- ~~(5) Conversion to an individual or family policy from a group, blanket or group type policy; and,~~
- ~~(6) Conversion to a Medicare Supplement policy to replace a basic or major-medical accident and health policy.~~

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.02, 4-44.002, 4-151.102, Amended.

**69O-151.106 Violation.**

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.06, 4-44.006, 4-151.106, Repealed.

**69O-151.107 Effective Date.**

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.07, 4-44.007, 4-151.107, Repealed.

**69O-151.201 Purpose and Scope.**

~~(1) The purpose of this rule chapter is to implement the provisions of Section 626.9541(1)(aa), F.S., with respect to churning and to adopt Form OIR-D0-1180. This rule and its accompanying disclosure form and instructions (Form OIR-D0-1180) Rules 69O-151.201, and 69O-151.202, apply to any and all types of policies which include a policy value feature, irrespective of the marketing method by which such policies or contracts are sold.~~

~~(2) Rules 69O-151.201, and 69O-151.202, This Part, Part III of Chapter 69O-151, F.A.C., shall not apply to:~~

- ~~(a) Conversions of group or individual term policies; or~~
- ~~(b) Group permanent life, group variable life, group fixed annuities and group variable annuities wherein the group master policyholder retains ownership of the contract.~~

~~(3) When exercising the following policy provisions, for a purpose other than as a funding source for the purchase of additional insurance contract(s), Rule paragraph 69O-151.202(2)(a), F.A.C., shall not apply to:~~

- ~~(a) Reduced paid-up or extended term insurance options in group life, group variable life, individual life or variable life policies;~~
- ~~(b) Early annuity options of group fixed, group variable, individual fixed or individual variable annuity products; or~~
- ~~(c) A living benefit settlement option of a group permanent life, group variable life, individual life or individual variable life insurance policy.~~

Rulemaking Authority 624.308(1), 626.9641(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.9541(1)(aa) FS., Chapter 95-219, Laws of Florida, History—New 2-19-96, Formerly 4-151.201, Amended.

**69O-151.202 Requirements.**

~~(1) Effective October 1, 1995, each Each insurer shall adopt written procedures to reasonably avoid and discourage the practice of churning, as defined in Section 626.9541(1)(aa), F.S.~~

(2)(a) Form OIR-D0-1180, “Policy Disclosure Form and Instructions,” rev. 07/23, hereby incorporated by reference and available at [www.flrules.org/XXXXX](http://www.flrules.org/XXXXX), shall be completed by the insurer or its licensed and appointed agent and provided to the applicant prior to or contemporaneous with the time the

applicant signs any application for the purchase of an additional life insurance policy or annuity contract to be funded through the use of values accessed in an existing and in-force policy with that same insurer. Form OIR-D0-1180, rev. 07/23 shall be completed for each existing and in-force policy to be utilized as a funding source for the purchase of additional insurance contract(s). Any required replacement and sales forms must also be completed. One copy of Form OIR-D0-1180, rev. 07/23 is to be delivered to the policyowner and one copy must be maintained by the insurer.

(b) If there is a material change in the information originally disclosed to the policyowner on Form OIR-D0-1180, rev. 07/23 as a result of the underwriting and policy issuance process, an insurer may cause an amended Form OIR-D0-1180, rev. 07/23 to be reissued, delivered and executed by the agent or corporate officer and the policyowner, and such amended Form OIR-D0-1180, rev. 07/23 shall constitute the required disclosure under this rule. An insurer must maintain any and all amended versions of Form OIR-D0-1180 in accordance with this rule.

(3) Insurers may reprint Form OIR-D0-1180, rev. 07/23 in its adopted format; however, reprints shall not be in a typesize smaller than the format adopted by the Office.

(4) Insurers may affix their name, address and company logo or insignia on the form in a manner not prohibited by Chapter 69B-150, F.A.C, or other applicable laws and rules.

(5) In accordance with Sections 624.316 and 624.3161, F.S., insurers shall maintain executed forms in active policy files for examination purposes. Accordingly, insurers shall maintain executed forms for at least five (5) years or from examination to examination, whichever is longer. In lieu of retaining original, executed forms, Form OIR-D0-1180, rev. 07/23 may be maintained in a manner retrievable for compliance examination and investigation review purposes.

(6) Policy loan request forms, surrender value request forms, dividend withdrawal request forms or any other applicable service forms that are necessary to access the funds to be used as a funding source for the payment of premiums for the additional insurance policy shall be completed and executed in their entirety at the time of new policy application and after presentation of the completed Form OIR-D0-1180, rev. 07/23.

(7) Form OIR-DO-1180, rev. 07/23 form may be obtained from <https://www.floir.com>.

Rulemaking Authority 624.308(1), 626.9541(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 624.316, 624.3161, 626.9541(1)(aa), 627.4554, FS., Chapter 95-219, Laws of Florida. History—New 2-19-96, Formerly 4-151.202, Amended

**690-151.203 Adoption of Form OIR-D0-1180.**

Rulemaking Authority 624.308(1), 626.9541(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.9541(1)(aa),

627.4554 FS., ~~Chapter 95-219, Laws of Florida, History—New 2-19-96, Formerly 4-151.203, Repealed~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kama Monroe, Assistant General Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2023

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: RULE TITLES:

690-157.023 Reporting

690-157.111 Reporting Requirements

PURPOSE AND EFFECT: The Office of Insurance Regulation is updating Rules 690-157.023 and 690-157.111 to correct form titles and revision dates.

SUMMARY: The Office of Insurance Regulation is updating Rules 690-157.023 and 690-157.111 to correct form titles and revision dates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 624.308(1), 627.9407(1), 627.9408 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.9402, 627.9407(1), 627.410(7) 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, Assistant General Counsel, Office of Insurance Regulation, [Kama.Monroe@floir.com](mailto:Kama.Monroe@floir.com), (850)413-4121.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-157.023 Reporting.**

(1) Every insurer shall maintain records for each agent of that agent’s amount of replacement sales as a percentage of the



agent’s total annual sales in this state and the amount of lapses of long-term care insurance policies sold by the agent as a percentage of the agent’s total annual sales in this state.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by subsection 690-157.023(1), F.A.C., in the format prescribed by Appendix J, “Long-Term Care Insurance Replacement and Lapse Reporting Form OIR-B2-1555,” which is incorporated by reference in Rule 690-157.111, “Replacement and Lapse Reporting Form OIR-1555” (10/02), which is incorporated herein by reference.

(3) through (5) No change.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied in this state, in the format as prescribed in Appendix E, “Annual Long-Term Care Claims Denial Reporting Form” OIR-B2-1553, which is incorporated by reference in Rule 690-157.111, “Claims Denial Reporting Form OIR 1553” (10/02), which is incorporated herein by reference.

(7) No change.

(8) Every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated, and shall annually furnish this information to the Department by March 1 of each year in the format prescribed in Appendix A, “Long-Term Care Rescission Report” OIR-B2-1552, which is incorporated by reference in Rule 690-157.111, “Rescission Reporting Form OIR 1552” (10/02), which is incorporated herein by reference.

(9) No change.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 627.410(7) FS. History–New 1-13-03, Formerly 4-157.023. Amended \_\_\_\_\_.

**690-157.111 Reporting Requirements.**

(1) No change.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by subsection 690-157.111(1), F.A.C., in the format as prescribed in Appendix J, “Long-Term Care Insurance Replacement and Lapse Reporting Form OIR-B2-1555,” effective 07/23 hereby incorporated by reference and available at [www.flrules.org/XXXXX http://www.flrules.org/Gateway/reference.asp?No=Ref\\_08269\\_06/2017](http://www.flrules.org/Gateway/reference.asp?No=Ref_08269_06/2017), which is incorporated herein by reference.

(3) through (5) No change.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a

percentage of claims denied in this state in the format as prescribed in Appendix E, “Annual Long-Term Care Claims Denial Reporting Form” “Claims Denial Reporting Form Long-Term Care Insurance for the State of Florida for the Reporting Year 20\_\_” OIR-B2-1553, effective 07/23, hereby incorporated by reference and available at [www.flrules.org/XXXXX http://www.flrules.org/Gateway/reference.asp?No=Ref\\_08268\\_06/2017](http://www.flrules.org/XXXXX http://www.flrules.org/Gateway/reference.asp?No=Ref_08268_06/2017)), which is incorporated herein by reference.

(7) through (8) No change.

(9) Based on the provisions of Rule 690-157.109, F.A.C., every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated and shall annually furnish this information, by March 1 of each year, in the format as prescribed in Appendix A, “Long-Term Care Rescission Reporting Form” For Long-Term Care Policies for the State of Florida For the Reporting Year 20\_\_” OIR-B2-1552, effective 07/23, hereby incorporated by reference and available at [www.flrules.org/XXXXX http://www.flrules.org/Gateway/reference.asp?No=Ref\\_08270\\_06/2017](http://www.flrules.org/XXXXX http://www.flrules.org/Gateway/reference.asp?No=Ref_08270_06/2017)), which is incorporated herein by reference.

(10) through (11) No change.

Rulemaking Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.424, 624.307(1), 627.9407(1), 627.410(7) FS. History–New 1-13-03, Formerly 4-157.111, Amended 7-30-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kama Monroe, Assistant General Counsel  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2023

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 690-166.031 RULE TITLE: Mediation of Property Insurance Claims  
 PURPOSE AND EFFECT: The proposed amendments will implement the changes made to Section 627.7015, F.S., by Section 35 of CS/CS/HB 487 in 2023, which revised the statutes governing alternative dispute resolution procedures, including mediation, for disputed property insurance claims. The amendments remove language from Rule 690-166.031, F.A.C., that is now obsolete and replaces language regarding fine amounts with a reference to the controlling statute.  
 SUMMARY: Rule 690-166.031, F.A.C., is being amended to remove portions of the rule that became obsolete due to changes made to Section 627.7015, F.S., by Section 35 of CS/CS/HB

487 in 2023, and to replace language regarding fine amounts with a reference to the controlling statute.

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

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

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

**RULEMAKING AUTHORITY:** 624.308(1), 627.7015(4), FS. **LAW IMPLEMENTED:** 624.307(1), 624.418(2)(a), 624.421(1)(a), 624.4211, 626.9541(1)(i), 626.9581(1), 627.7015, 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, Assistant General Counsel, Office of Insurance Regulation, Kama.Monroe@flor.com, (850)413-4121.

THE FULL TEXT OF THE PROPOSED RULE IS:

**690-166.031 Mediation of Property Insurance Claims.**

(1) All insurers subject to Section 627.7015, F.S., shall comply with Rule 69J-166.031, F.A.C., administered by the Department of Financial Services. A violation of Rule 69J-166.031, F.A.C., is a violation of this rule and accordingly a violation of a rule of the Commission.

~~(2) If the insurer fails to appear at the conference without good cause the insurer shall pay the insured's actual cash expenses incurred in attending the conference and shall pay the mediator's fee for the rescheduled conference. Good cause here includes severe illness, injury, or other emergency which could not be controlled by the insurer and could not reasonably be remedied by the insurer prior to the conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the insurer shall be subject to penalty including revocation, suspension, or a fine as specified in Section 624.4211, F.S. fine, for violation of Section 626.9541(1)(i), F.S. Such suspension of an insurer's certificate of authority shall be for a period of 2 years. An administrative fine shall be in the amount of \$2,500 per violation in cases of non willful violation, and \$20,000 per violation in cases of a knowing and willful violation. The office~~

~~will mitigate these penalties based upon the following factors: Solvency of the insurer, best interests of or potential harm to insureds, and willfulness of the violation.~~

Rulemaking Authority 624.308(1), 627.7015(4) FS. Law Implemented 624.307(1), 624.418(2)(a), 624.421(1)(a), 624.4211(1)(3), 626.9541(1)(i), 626.9581(1), 627.7015 FS. History—New 8-18-94, Amended 5-1-96, 4-6-00, Formerly 4-166.031, Amended 11-3-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kama Monroe, Assistant General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2023

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

**DEPARTMENT OF STATE**

**Division of Elections**

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

**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. 49 No. 140, July 20, 2023 issue of the Florida Administrative Register.

1. Changed "Name for Ballot" to "Name to appear on Ballot" or "Name for voters to write-in;"
2. Removed labels and separate spaces for "first," "middle name/initial/and/or/nickname," "last name," and "suffix;"
3. Added instruction and box "Check box if two last names without hyphen;" and
4. Specified that Affidavit of Nickname "Only required if using nickname for the ballot"
5. Split Committee person forms into three for state, district, and precinct

The coded text is also changed from the Notice of Proposed Rule as follows:

**1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy.**

- (1) through (3)(b) No change.
- (3)(c) The following qualifying forms are hereby incorporated by reference and are available by hyperlink below,

or from the Division of Elections at: R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, or (850)245-6200; or by download from the Division’s webpage at: <http://dos.myflorida.com/elections/forms-publications/forms/>:

- 1.-4. – no change.
- 5. DS-DE 305A ~~305CM~~ (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Committeemen and Committeewomen - State.”
- 6. DS-DE 305B (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Committeemen and Committeewomen - District.”
- 7. DS-DE 305C (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Committeemen and Committeewomen - Precinct.”
- 8. ~~6.~~ DS-DE 302NP (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Nonpartisan Office.”
- 9. ~~7.~~ DS-DE 304SB (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled “Candidate Oath – School Board Nonpartisan Office.”
- 10. ~~8.~~ DS-DE 303JU (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Judicial Office.”
- 11. ~~9.~~ DS-DE 300A (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled “Candidate Oath – Federal Office – With Party Affiliation.”
- 12. ~~10.~~ DS-DE 300B (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Federal Office – Without Party Affiliation.”
- 13. ~~11.~~ DE-DE 300C (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Federal Office – Write-In Candidate.”
- 14. ~~12.~~ DS-DE 306WP (10/23)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>), entitled, “Candidate Oath – Write-In for President and Vice President.”

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: 68B-5.007  
 RULE TITLE: Skyway Fishing Pier State Park: Education Course Requirement; Gear Restrictions  
 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. 49 No. 125, June 28, 2023 issue of the Florida Administrative Register.

68B-5.007 Skyway Fishing Pier State Park: Education Course Requirement; Gear Restrictions.

(1) A person may not participate in fishing at the ~~within~~ Skyway Fishing Pier State Park unless such person has first successfully completed within the previous 12 months a Commission-approved skyway fishing pier ~~Pier Fishing~~ education course, as provided in paragraph (1)(b) and possesses verification of course completion while participating in fishing at the Skyway Fishing Pier State Park. herein:

~~(a) The Commission shall provide a Pier Fishing education course, available at: [<http://www.myfwc.com/.....>]. Instructions for completing the Pier Fishing education course and the minimum requirements for the course content are contained in the “Florida Pier Fishing Education Course Guide,” Form PFEC 1 (effective October 1, 2023), incorporated herein by reference and available at [<http://www.flrules.org/gateway/reference.....>], or from the Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.~~

~~(b) The Commission shall issue proof of completion to a person who has successfully completed a Commission-approved Pier Fishing education course. Such proof of completion shall be valid for 12 months from the date of issuance.~~

~~(a) A person under 16 years of age who has not successfully completed a Commission-approved skyway fishing pier Pier Fishing education course as provided in paragraph (1)(b) may participate in fishing at the within Skyway Fishing Pier State Park only if such person is fishing under the supervision of, and in the presence of, a person 16 years of age or older who has first successfully completed within the previous 12 months a Commission-approved skyway fishing pier Pier Fishing education course as provided in~~

paragraph (1)(b), and possesses verification of course completion.

(b) The Commission shall provide a skyway fishing pier education course, available at: <https://learningmyfwc.remote-learner.net>.

1. Instructions for completing the course are contained in a document titled “Skyway Fishing Pier Education Course Instructions,” Form DMFM-SFP01 (effective October 1, 2023), incorporated herein by reference and available at <http://www.flrules.org/gateway/reference.asp?No=Ref-XXXX>, or from the Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

2. The Commission shall issue proof of completion to a person who has successfully completed a Commission-approved skyway fishing pier education course. Such proof of completion shall be valid for 12 months from the date of issuance.

(2) A person may not use more than two sets of hook and line gear at any time on or from Skyway Fishing Pier State Park.

(3) A person may not use a sabiki or flasher rig on or from the portion of South Skyway Fishing Pier that extends approximately 0.23 miles (approximately 1,227 feet) in a southeasterly direction from the point where the pier terminates in Tampa Bay (the portion of the pier that lies northwest of the northernmost restroom building).

(34) The following gear restrictions apply within Skyway Fishing Pier State Park from November 15 through March 15 of the following year:

(a) through (b) no change.

(5) For purposes of this rule:

(a) “Fishing” means:

(a)1. The catching, taking, or harvesting of a marine organism;

(b)2. The attempted catching, taking, or harvesting of a marine organism;

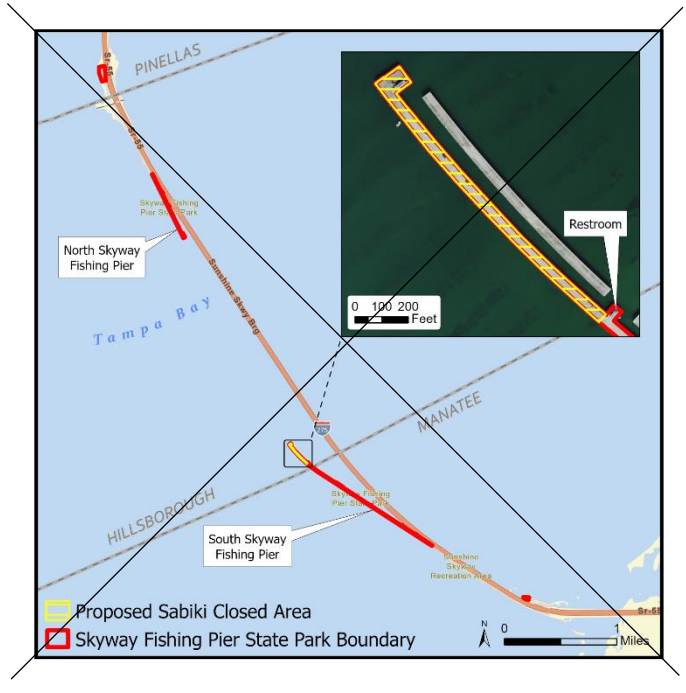
(c)3. Any other activity which can reasonably be expected to result in the catching, taking, or harvesting of a marine organism.

(b) “Sabiki” or “flasher rig” means hook and line gear that has a main line with several branching lines spaced at regular intervals to which small hooks are attached and is typically used to harvest baitfish.

(e) “South Skyway Fishing Pier” means the public fishing pier within the Skyway Fishing Pier State Park that begins in Manatee County and extends in a northwesterly direction, terminating in Tampa Bay.

(56) The Commission shall review the Skyway Pier fishing regulations prior to October 1, 2025, and determine whether the regulations are appropriate or if they should be repealed or expanded.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-1-23.



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-4.010 Sanitation and Safety Requirements

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

On September 20, 2023 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from We Open Inc. located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing

of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 49/184 on September 21, 2023. The Order for this Petition was signed and approved on September 28, 2023. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon Condominium Assn Inc located at 567 Audubon Blvd., Naples, FL 34110, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has demonstrated that the purpose of the underlying statute has been

met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-073).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon A located at 599 Audubon Blvd., Naples, FL 34110, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-072).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On September 21, 2023 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code, and Section 6-40.11. 2017 FDA Food Code from Shipwrecked Bar & Grill Inc. located in Osprey. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided

for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 49/185 on September 22, 2023. The Order for this Petition was signed and approved on September 28, 2023 after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the first floor are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon Condominium Assn Inc located at 591 Audubon Blvd., Naples, FL 34110, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-071).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 28, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sundy Village West, LLC at 55 SW 1st Ave., Delray Beach, FL. Petitioner seeks a, emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.2.2.6, as adopted by 61C-5.001, Florida Administrative Code that requires a Sumps and sump pumps in pits, where provided, shall be covered. The cover shall be secured and level with the pit floor which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-101).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 28, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sundy Village West, LLC at 55 SW 1st Ave., Delray Beach, FL. Petitioner seeks a, emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.2.2.6, as adopted by 61C-5.001, Florida Administrative Code that requires a Sumps and sump pumps in pits, where provided, shall be covered. The cover shall be secured and level with the pit floor which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-111).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 28, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sundy Village West, LLC at 65 SW 1st Ave., Delray Beach, FL. Petitioner seeks a, emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.2.2.6, as adopted by 61C-5.001, Florida Administrative Code that requires a Sumps and sump pumps in pits, where provided, shall be covered. The cover shall be secured and level with the pit floor which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-112).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on September 28, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sundy Village West, LLC at 75 SW 1st Ave., Delray Beach, FL. Petitioner seeks a, emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.2.2.6, as adopted by 61C-5.001, Florida Administrative Code that requires a Sumps and sump pumps in pits, where provided, shall be covered. The cover shall be secured and level with the pit floor which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-113).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon Condominium Assn Inc located at 591 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-071).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon A located at 599 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-072).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon Condominium Assn Inc located at 567 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-073).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon C located at 583 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-074).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon Condominium Assn Inc located at 551 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-076).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On September 28, 2023 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Montclair at Audubon E located at 559 Audubon Blvd., Naples, FL, filed July 5, 2023, and advertised on July 10, 2023 in Vol. 49, No. 132, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-077).



A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

**DEPARTMENT OF FINANCIAL SERVICES  
Securities**

The Florida Office of Financial Regulation hereby gives notice: On September 28, 2023, the Florida Office of Financial Regulation issued a Final Order Denying Petition for a Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code, submitted on behalf of Edward A. Grassi. On July 21, 2023, the Office issued a Notice of Intent to Enter a Final Order Denying the Petition for Waiver from 69W-600.0024(6)(b), Florida Administrative Code, and Notice of Rights. Petitioner's failure to file a petition for hearing or to file any other document in compliance with Rules 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, constitutes a waiver of Petitioner's right to an administrative hearing. Based on the Findings of Fact and Conclusions of Law, the Petition is denied. \*\*The original petition was published May 4, 2023 in the Florida Administrative Register Volume 49, Number 87.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

**DEPARTMENT OF FINANCIAL SERVICES  
Securities**

The Florida Office of Financial Regulation hereby gives notice: On September 28, 2023, the Florida Office of Financial Regulation issued a Final Order Denying Petition for a Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code, submitted on behalf of Robert Love. On June 9, 2023, the Office issued a Notice of Intent to Enter a Final Order Denying the Petition for Waiver from 69W-600.0024(6), Florida Administrative Code, and Notice of Rights. Petitioner's failure to file a petition for hearing or to file any other document in compliance with Rules 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, constitutes a waiver of Petitioner's right to an administrative hearing. Based on the Findings of Fact and Conclusions of Law, the Petition is denied. \*\*The original petition was published March 14, 2023 in the Florida Administrative Register Volume 49, Number 50.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

**DEPARTMENT OF FINANCIAL SERVICES  
Securities**

The Florida Office of Financial Regulation hereby gives notice: On September 29, 2023, the Florida Office of Financial Regulation issued a Final Order Denying Petition for a Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code, submitted on behalf of David Hardy. On May 5, 2023, the Office issued a Notice of Intent to Enter a Final Order Denying the Petition for Waiver from 69W-600.0024(6)(b), Florida Administrative Code, and Notice of Rights. Petitioner's failure to file a petition for hearing or to file any other document in compliance with Rules 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, constitutes a waiver of Petitioner's right to an administrative hearing. Based on the Findings of Fact and Conclusions of Law, the Petition is denied. \*\*The original petition was published February 8, 2023 in the Florida Administrative Register Volume 49, Number 26.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

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

**DEPARTMENT OF LEGAL AFFAIRS**

The Criminal Justice Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 11, 2023, 1:30 p.m., until conclusion

PLACE: US: +1(786)635-1003 or +1(470)250-9358 or +1(470)381-2552

Webinar ID: 811 2757 0077

Passcode: 625486; and

<https://teamhcsa.zoom.us/j/81127570077?pwd=MXROUUVzVWFjaW05NFNhT2NrTjdYQT09>

Passcode: 625486

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Committee Business

A copy of the agenda may be obtained by contacting: Lynn Guyton at [Lynn.Guyton@myfloridalegal.com](mailto:Lynn.Guyton@myfloridalegal.com) or by accessing the board's website at:

[http://myfloridalegal.com/\\_\\_85256CC5006DFCC3.nsf/0/8AE5858B1253D0D85257D34005AFA72?Open&Highlight=0,s,tatewide,council,meeting](http://myfloridalegal.com/__85256CC5006DFCC3.nsf/0/8AE5858B1253D0D85257D34005AFA72?Open&Highlight=0,s,tatewide,council,meeting)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Lynn Guyton at Lynn.Guyton@myfloridalegal.com by telephone at (813)287-7950.

**DEPARTMENT OF EDUCATION**

Division of Blind Services

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

DATE AND TIME: October 18, 2023, 4:00 p.m.

PLACE: Teleconference number: (888)585-9008, Code: 319035377 then press the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tallahassee Day Subcommittee Meeting

A copy of the agenda may be obtained by contacting: No agenda.

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: The Division of Blind Services at (850)245-0370. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, Phone: (850)245-9305, Email: Brandis.Hall@dbs.fldoe.org.

**METROPOLITAN PLANNING ORGANIZATIONS**

Orlando Urban Area

The Central Florida MPO Alliance announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 13, 2023, 10:00 a.m.

PLACE: MetroPlan Orlando, 250 S. Orange Avenue, Suite 100, Orlando FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled Central Florida MPO Alliance meeting.

A copy of the agenda may be obtained by contacting: Lisa Smith, Sr. Board Services Coordinator, MetroPlan Orlando, (407)481-5672, ext 307.

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 24 hours before the workshop/meeting by contacting: Lisa Smith, Sr. Board Services Coordinator, MetroPlan Orlando, (407)481-5672, ext 307. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lisa Smith, Sr. Board Services Coordinator, MetroPlan Orlando, (407)481-5672, ext 307.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 12, 2023, 9:00 a.m. Governing Board Monthly Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406. Members of the public may participate and provide public comment in person or via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board of the South Florida Water Management District will discuss and consider District business, including regulatory and non-regulatory matters. The public and stakeholders will have an opportunity to view and comment on the meeting by attending in person or utilizing the following link: <https://sfwmd.link/3gLHFI3>. The link will go live at approximately 9:00 a.m. on October 12, 2023.

The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: Molly Brown at [mobrown@sfwmd.gov](mailto:mobrown@sfwmd.gov). The agenda will be posted to the District's website, [www.SFWMD.gov/meetings](http://www.SFWMD.gov/meetings), seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least seven days before the workshop/meeting by contacting: Molly Brown, Interim District Clerk, at mobrown@sfwmd.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: Molly Brown at mobrown@sfwmd.gov.

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority  
The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2023, 9:30 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority  
The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2023, immediately following the Regular Board Meeting.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Executive Committee Meeting. The Executive Committee will be meeting as the Selection Committee for General Counsel Services, CONTRACT NO.: 2024-002.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

**REGIONAL UTILITY AUTHORITIES**

Tampa Bay Water - A Regional Water Supply Authority  
The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2023, immediately following the Regular Board Meeting.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for General Counsel Services, CONTRACT NO.: 2024-002.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Landscape Architecture

The Board of Landscape Architecture announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2023, 10:00 a.m.  
 PLACE: <https://global.gotomeeting.com/join/583585909>  
 or You can also dial in using your phone. United States:  
 +1(646)749-3129, Access Code: 583-585-909  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 General Business  
 A copy of the agenda may be obtained by contacting: Board of  
 Landscape Architecture, 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 5 days before the workshop/meeting by  
 contacting: Board of Landscape Architecture, 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: Board of Landscape  
 Architecture, 2601 Blair Stone Rd., Tallahassee, FL 32399,  
 (850)717-1981.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 Division of Recreation and Parks  
 The Florida Department of Environmental Protection, Division  
 of Recreation and Parks, announces a public meeting to which  
 all persons are invited.  
 DATE AND TIME: Tuesday, October 10, 2023, from 3:00 p.m.  
 – 7:00 p.m., (ET)  
 PLACE: Amelia Island Museum of History, Baker Hall, 233  
 South Third Street, Fernandina Beach, Florida 32034  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Open-house format opportunity for interested persons to view  
 park update plans for the following Florida State Parks:  
 • Amelia Island State Park  
 • Fernandina Plaza Historic State Park  
 • Fort Clinch State Park  
 • George Crady Bridge Fishing Pier State Park  
 Attending staff will be available to discuss plan concepts and  
 answer questions in a conversational setting. No formal  
 presentation will be given.  
 A copy of the agenda may be obtained by contacting: Gabrielle  
 Trace, Planner, Department of Environmental Protection,  
 Division of Recreation and Parks, Office of Park Planning,  
 3800 Commonwealth Blvd., MS#525, Tallahassee, Florida

32399, PH# (850)245-3051 or by email at  
 Gabrielle.Trace@FloridaDEP.gov.  
 Pursuant to the provisions of the Americans with Disabilities  
 Act, any person requiring special accommodations to  
 participate in this workshop/meeting is asked to advise the  
 agency at least 48 hours before the workshop/meeting by  
 contacting: Gabrielle Trace, as listed above. If you are hearing  
 or speech impaired, please contact the agency using the Florida  
 Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770  
 (Voice).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 Division of Recreation and Parks  
 The Florida Department of Environmental Protection, Division  
 of Recreation and Parks, announces a public meeting to which  
 all persons are invited.  
 DATE AND TIME: Wednesday, October 11, 2023, 3:00 p.m.  
 – 7:00 p.m., (ET)  
 PLACE: College of Central Florida, Klein Conference Center  
 (located inside the Ewers Century Center), 3001 SW College  
 Road, Ocala, FL 34474  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Open-house format opportunity for interested persons to view  
 park update plans for Price’s Scrub State Park and Rainbow  
 Springs State Park. Attending staff will be available to discuss  
 plan concepts and answer questions in a conversational setting.  
 No formal presentation will be given.  
 A copy of the agenda may be obtained by contacting: Tess  
 Flemma, Planner, Department of Environmental Protection,  
 Division of Recreation and Parks, Office of Park Planning,  
 3800 Commonwealth Blvd., MS#525, Tallahassee, Florida  
 32399, PH# (850)245-3051 or by email at  
 Tess.Flemma@FloridaDEP.gov.  
 Pursuant to the provisions of the Americans with Disabilities  
 Act, any person requiring special accommodations to  
 participate in this workshop/meeting is asked to advise the  
 agency at least 48 hours before the workshop/meeting by  
 contacting: Tess Flemma, as listed above. If you are hearing or  
 speech impaired, please contact the agency using the Florida  
 Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770  
 (Voice).

**DEPARTMENT OF HEALTH**  
 Board of Hearing Aid Specialists  
 The Board of Hearing Aid Specialists announces a DATE  
 CHANGE to the public meeting originally noticed on  
 November 23, 2022, Vol. 48/228 for October 27, 2023.  
 DATE AND TIME: November 3, 2023, 9:00 a.m., EST  
 PLACE: Please join my meeting from your computer or tablet  
 using GoToMeeting at  
<https://meet.goto.com/935258285>

or by phone (Toll Free) (877)309-2073 or (646)749-3129 using Access Code: 935-258-285

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business involving discussion and actions, including, but not limited to general board business, licensure applications, rules and disciplinary matters.

A copy of the agenda may be obtained by contacting the board office at (850) 245-4292 or by visiting our website at <https://floridashearingaidspecialists.gov/meeting-information/> Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting the board office at (850)245-4292.

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

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

For more information, you may contact the board office at (850)245-4292.

**DEPARTMENT OF HEALTH**

Board of Pharmacy

**RULE NO.: RULE TITLE:**

64B16-27.410 Registered Pharmacy Technician to Pharmacist Ratio

The Board of Pharmacy announces a hearing to which all persons are invited.

**DATE AND TIME:** Thursday, October 19, 2023, 1:00 p.m., ET, or as soon thereafter as can be heard.

**PLACE:** Holiday Inn Tallahassee East Capital, 2003 Apalachee Pkwy, Tallahassee, FL 32301; (850)792-8300.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A rule hearing on the above rule, as noticed in Vol. 49, No. 177, September 12, 2023, issue of the Florida Administrative Register, will be held to discuss proposed text of the rule.

A copy of the agenda may be obtained by contacting: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258; [www.floridaspharmacy.gov](http://www.floridaspharmacy.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Allison Dudley, Executive Director, at the address 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).

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: (850)245-4474.

**DEPARTMENT OF HEALTH**

Division of Children's Medical Services

The Child Abuse Death Review Circuit 9 Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, October 27, 2023, 1:00 p.m. - 1:30 p.m.

**PLACE:** Microsoft Teams meeting

Join on your computer, mobile app or room device

Click here to join the meeting

Meeting ID: 258 472 499 884

Passcode: ViSg5T

Download Teams | Join on the web

Or call in (audio only)

+1(321)430-1061,,564794866# United States, Orlando

Phone Conference ID: 564 794 866#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by Section 383.412(3) (a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Bell, Brianne L. at [Brianne.Bell@orlandohealth.com](mailto:Brianne.Bell@orlandohealth.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 7 days before the workshop/meeting by contacting: Bell, Brianne L. at [Brianne.Bell@orlandohealth.com](mailto:Brianne.Bell@orlandohealth.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bell, Brianne L. at [Brianne.Bell@orlandohealth.com](mailto:Brianne.Bell@orlandohealth.com)

**DEPARTMENT OF HEALTH**

Division of Children's Medical Services

The Child Abuse Death Review Circuit 13 Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 11, 2023, 1:00 p.m. - 1:15 p.m.

**PLACE:** Zoom meeting

Register in advance for this meeting:

<https://us06web.zoom.us/join/92124281141>  
<https://us06web.zoom.us/join/92124281141>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by Section 383.412(3) (a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: [Carry.Simons@flhealth.gov](mailto:Carry.Simons@flhealth.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: [Carry.Simons@flhealth.gov](mailto:Carry.Simons@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: [Carry.Simons@flhealth.gov](mailto:Carry.Simons@flhealth.gov)

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

**DATE AND TIME:** October 12, 2023, 2:00 p.m., Eastern Time

**PLACE:** Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301. The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following websites:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2024/2024-103>

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2024/2024-106>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The workshop will be held to solicit comments and suggestions from interested persons relative to two Requests for Applications (RFAs): RFA 2024-103 Housing Credit and SAIL Financing to Develop Housing for Homeless Persons and RFA 2024-106 Financing to Develop Housing for Persons with Disabling Conditions / Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Bryan A. Barber, (850)488-4197.

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: Bryan A. Barber, (850)488-4197. 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.

**SENIOR CONNECTION CENTER, INC.**

The Senior Connection Center (Meeting Cancellation) announces a public meeting to which all persons are invited.

**DATE AND TIME:** The Board of Directors meeting scheduled for Tuesday, November 7, 2023, has been canceled.

**PLACE:** The Board of Directors meeting scheduled for Tuesday, November 7, 2023, has been canceled.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board of Directors meeting scheduled for Tuesday, November 7, 2023, has been canceled.

A copy of the agenda may be obtained by contacting: n/a

**THE VALERIN GROUP, INC.**

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

**DATES AND TIMES:** Virtual - Tuesday, October 10, 2023, 5:00 p.m., In Person - Tuesday, October 10, 2023, 6:30 p.m.

**PLACE:** The Heritage Center, 2140 14th Avenue, Vero Beach, FL 32960, or to attend virtually please register using the following link:

<https://register.gotowebinar.com/register/3602683322168283989>.

You may also call in at: (877)309-2074, Access Code: 740-096-396.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) will be hosting a public meeting regarding sidewalk improvements along State Road (SR) 5/US 1 from 45th Street to south of 53rd Street (Financial Project Identification Number: 448023-1-52-01). The purpose of this project is to improve pedestrian safety.

Construction is estimated to begin in fall 2024 and is anticipated to be completed in spring 2025. The estimated construction cost is \$1 million.

The public meeting will be held virtually and in-person. The virtual session will be held on Tuesday, October 10, 2023, at 5:00 p.m. with a brief presentation beginning at 5:00 p.m. followed by questions and comments from the public. The in-person session will be held on Tuesday, October 10, 2023, at 6:30 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Ronald P. Wallace, P.E., Project Manager, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort

Lauderdale, Florida 33309, (954)777-4428 (Telephone), or toll free at (866)336-8435 ext. 4428 or via email at ronald.wallace@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Ronald P. Wallace, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4428 (Telephone), or toll free at (866)336-8435 ext. 4428 or via email at ronald.wallace@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ronald P. Wallace, P.E., Project Manager, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4428 (Telephone), or toll free at (866)336-8435 ext. 4428 or via email at ronald.wallace@dot.state.fl.us.

**Section VII**

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

NONE

**Section VIII**

**Notice of Petitions and Dispositions Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX**

**Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges**

NONE

**Section X**

**Announcements and Objection Reports of the Joint Administrative Procedures Committee**

NONE

**Section XI**

**Notices Regarding Bids, Proposals and Purchasing**

**DEPARTMENT OF EDUCATION**

University of Florida

UF-687 - Broward Dining Renovation & Expansion

Parrish McCall Constructors, Inc, the design builder, is soliciting competitive bids and pre-qualification for the following project:

UF-687 – Broward Dining Renovation & Expansion

Anticipated bid packages include the following: Concrete, Masonry, Structural Steel, Ornamental Metals, Casework, Thermal & Moisture Protection, Roofing, Doors/Frames/Hardware, Sitework, Landscape & Irrigation, Hardscape & Retaining Walls, Curtainwall/Storefront, Gypsum Assemblies, Painting, Flooring/Tile, Acoustical Systems, Composite Façade Cladding, Signage, General Trades, Mechanical (HVAC), Electrical, Plumbing, Access Controls, Security, Food Service Equipment, Fire Protection, Low Voltage (Communications), Construction Cleaning

Bid documents can be found on the project page on BuildingConnected under ‘Files’. Link is included below. Bids should be submitted via BuildingConnected.

<https://app.buildingconnected.com/public/5b1eafc8a11cdd0010a863a7>

All subcontractors under consideration for a package in excess of \$100,000 will be required to complete the SCORE system qualification process. Please visit the following link to enroll in the SCORE system.

<https://parrish-mccall.com/subcontractors/>

**DEPARTMENT OF EDUCATION**

School Districts

Sumter County School Board

PLEASE TAKE NOTICE that the Sumter County School Board (School Board), has received an unsolicited proposal, “P3”, as outlined in Section 255.065, Florida Statutes. The purpose of this competitive selection process is to select a professional services provider to build the Sumter County Educational Support Center (SCESC), located at 1250 SR 471, Sumterville, FL 33585 on parcel #J24-001, and more

particularly described as a new facility to house Sumter County School District’s Transportation, Maintenance and Facilities Departments.

The School Board will accept other proposals from Qualified Entities for the same project on or before October 19, 2023.

All submittals are due by 2:00 p.m. on Thursday, October 19, 2023 to the Facilities and Planning Department, 301 W. McCollum Ave., Bushnell, Florida 33513. Proposals submitted to the School Board in response to this public notification will be considered and a decision on the selection/ranking of the unsolicited proposal and the qualified proposals will be made by a Selection Committee designated by the School Board.

Bids must be clearly marked “Sumter County Educational Support Center (SCESC) - Bid No. 360”

Inquiries and requests for the Design Criteria Package can be directed to (352)793-1281, ext. 52201 or [lisa.lovett@sumter.k12.fl.us](mailto:lisa.lovett@sumter.k12.fl.us).

The Sumter County School Board, Florida reserves the right to waive any or all informalities in the selection process and to reject any or all submittals.

**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., Monday, September 25, 2023 and 3:00 p.m., Friday, September 29, 2023.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
12ER23-11	9/26/2023	10/1/2023
12ER23-12	9/26/2023	10/1/2023
12ER23-13	9/26/2023	10/1/2023
12ER23-14	9/26/2023	10/1/2023
12ER23-15	9/26/2023	10/1/2023
53ER23-51	9/26/2023	9/26/2023
61-35.002	9/29/2023	10/19/2023
61-35.006	9/29/2023	10/19/2023
61C-1.001	9/28/2023	10/18/2023
61C-3.001	9/28/2023	10/18/2023
61C-4.010	9/28/2023	10/18/2023
64B1-8.003	9/25/2023	10/15/2023
64B6-8.002	9/25/2023	10/15/2023
64B6-8.003	9/25/2023	10/15/2023
64B15-13.001	9/25/2023	10/15/2023

64B20-2.002	9/28/2023	10/18/2023
64B20-7.001	9/28/2023	10/18/2023
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

**DEPARTMENT OF STATE**

Notice of Florida Department of State's 2023-2024 Annual Regulatory Plan

The Florida Department of State's 2023-2024 Annual Regulatory Plan was published on September 29, 2023, and is available at

<https://files.floridados.gov/media/707004/departament-of-state-2023-24-annual-regulatory-plan.pdf>.

**DEPARTMENT OF REVENUE**

Notice of Publication of 2023-2024 Regulatory Plan

NOTICE IS HEREBY GIVEN that on October 2, 2023, the Department of Revenue published its 2022-2023 Regulatory Plan in accordance with Section 120.74, F.S. The Regulatory Plan is available on the Department’s website at:

[http://floridarevenue.com/Pages/regulatory\\_plans.aspx](http://floridarevenue.com/Pages/regulatory_plans.aspx).

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication of 2023-2024 Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 28, 2023, the Department of Highway Safety and Motor Vehicles published its 2023-2024 regulatory plan in accordance with § 120.74, Fla. Stat. The 2023-2024 regulatory plan is available at



[https://www.flhsmv.gov/pdf/ogc/annualregulatoryplan\\_2023\\_2024.pdf](https://www.flhsmv.gov/pdf/ogc/annualregulatoryplan_2023_2024.pdf).

**STATE BOARD OF ADMINISTRATION**

**Notice of Filing of Annual Regulatory Plan**

As required pursuant to Section 120.74, Florida Statutes, the State Board of Administration (“SBA”) hereby is providing notice that the SBA’s 2023-2024 Annual Regulatory Plan (“ARP”) was published on the SBA’s website on September 29, 2023. Interested parties may access the ARP on the SBA’s internet site at:

<https://www.sbafla.com/fsb/PerformanceReports/AnnualRegulatoryPlan.aspx>.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

FAR Notice for the draft 2024 South Florida Environmental Report (SFER) – Volume I Web Board Public and Peer Review  
The South Florida Water Management District (SFWMD) announces the upcoming web posting of the draft 2024 South Florida Environmental Report (SFER) – Volume I to which all persons are invited to view and encouraged to comment. The public and peer review will be conducted on a dedicated web board, which will be accessible from SFWMD’s website at <https://www.sfwmd.gov/science-data/scientific-publications-sfer>.

Title of Event: Draft 2024 South Florida Environmental Report (SFER) – Volume I Web Board Public and Peer Review

Name of Agency: South Florida Water Management District

Date and Time: The web board will be available for public comment on the draft 2024 SFER – Volume I from October 9, 2023, through November 8, 2023. The SFER web board will also be available for public viewing from October 9, 2023, through March 15, 2024.

Place: <https://www.sfwmd.gov/science-data/scientific-publications-sfer>

General Subject Matter to be Considered:

Beginning on October 9, 2023, through March 15, 2024, interested parties may access the SFER web board and view communications among the peer review panelists, agency responses to comments, electronically stored communications, and other public records associated with the draft 2024 SFER – Volume I that are web posted. Peer review panelists comments and recommendations will be posted on the web board, and the public can access this information via the website. The public may comment directly on the web board at any time between October 9, 2023, through November 8, 2023, on any aspect of the draft 2024 SFER – Volume I, particularly on relevant scientific or technical data and findings. Communications and documents from all parties can be accessed at any time once they are posted during the review period.

A copy of the agenda may be obtained by contacting:

Not applicable.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this event is asked to advise the agency at least seven days before the event by contacting: Molly Brown, Interim District Clerk, at [mobrown@sfwmd.gov](mailto:mobrown@sfwmd.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 about the meeting, contact:

For information regarding this review, please write to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, or contact Kim Richer (561)682-2425; [kricher@sfwmd.gov](mailto:kricher@sfwmd.gov).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

**DECISION ON EXPEDITED APPLICATION**

The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:

County: Okaloosa District: 1-2

CON #10739 Decision Date: 9/29/2023 Decision:

Approved

Applicant/Facility/Project: JDM Health Services, LLC

Project Description: Transfer CON #10711 from Village Health Services, LLC to the applicant to establish an 84-bed community nursing home

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Notice of Publication of Annual Regulatory Plan**

Pursuant to 120.74(2), F.S., the Department of Business and Professional Regulation published the Department’s 2023-2024 Annual Regulatory Plan on September 29, 2023, at the following web address:

<http://www.myfloridalicense.com/DBPR/about-us/annual-regulatory-plans/>

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Notice of Publication of Annual Regulatory Plan**

Pursuant to 120.74(2), F.S., the Department of Business and Professional Regulation published the Department’s 2023-2024 Annual Regulatory Plan for Boards and Commissions on September 29, 2023, at the following web address:

<http://www.myfloridalicense.com/DBPR/about-us/annual-regulatory-plans/>

**DEPARTMENT OF HEALTH**

**Notice of Publication of Department of Health Annual Regulatory Plans**

In accordance with section 120.74, Florida Statutes, the Department of Health provides notice that the Department’s Annual Regulatory Plan and the Annual Regulatory Plans of all boards established under section 20.43(3)(g), Florida Statutes, are available at the following web addresses:

[http://www.floridahealth.gov/\\_documents/annual-regulatory-plan-fdoh.pdf](http://www.floridahealth.gov/_documents/annual-regulatory-plan-fdoh.pdf)  
and [http://www.floridahealth.gov/\\_documents/annual-regulatory-plan-boards.pdf](http://www.floridahealth.gov/_documents/annual-regulatory-plan-boards.pdf).

**DEPARTMENT OF FINANCIAL SERVICES**

**Notice of Publishing Annual Regulatory Plan**

**NOTICE IS HEREBY GIVEN** that on September 29, 2023, the Department of Financial Services and the Board of Funeral, Cemetery, and Consumer Services published its 2023-2024 Annual Regulatory Plan on the Department’s website at <https://myfloridacfo.com/rulemaking-regulatory-plans/>.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Community Development**

**Commerce Final Order No. COM-23-034**

**FINAL ORDER APPROVING ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 23-07**

The Department of Commerce (“Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida (“Village”), by Ordinance No. 23-07 (the “Ordinance”).

**FINDINGS OF FACT**

- 1.The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
- 2.The Ordinance was adopted by the Village on July 20, 2023 and rendered to Commerce on August 1, 2023.
- 3.The Ordinance amends the Village’s Code to provide uniform requirements for providing public notice. Additionally, the Ordinance shifts the responsibility of providing proper notice from the Village to the applicant.

**CONCLUSIONS OF LAW**

- 4.Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.
- 5.“Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The

regulations adopted by the Ordinance are land development regulations.

6.The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Policies 1-1.2.1, 1-2.2.1, 1-2.2.2, 1-2.2.4, 1-2.1.8, 1-4.10.4, 8-2.1.2 and Objectives 1-4.1, 9-1.4, and 10-1.1.

7.All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Village are set forth in Section 380.0552(7), Florida Statutes.

8.The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following Principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

**WHEREFORE, IT IS ORDERED** that the Department finds that Ordinance No. 23-07 is consistent with the Village’s Comprehensive Plan and the Principles for Guiding Development for the Village and is hereby **APPROVED**.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

**DONE AND ORDERED** in Tallahassee, Florida.

/s/ Meredith Ivey , Meredith Ivey, Deputy Secretary, Division of Community Development, Florida Department of Commerce

**Notice of administrative rights**

Any person whose substantial interests are affected by this final order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the FLORIDA department of COMMERCE within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk, FLORIDA Department of COMMERCE, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230.

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida administrative register.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 29th day of September, 2023.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Joseph “Buddy” Pinder, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Marne McGrath, Village Clerk Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Jennifer DeBoisbriand, Planning Director, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

Commerce Final Order No. COM-23-035

**FINAL ORDER APPROVING ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 23-09**

The Department of Commerce (“Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida (“Village”), by Ordinance No. 23-09 (the “Ordinance”).

**FINDINGS OF FACT**

1.The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.

2.The Ordinance was adopted by the Village on July 20, 2023 and rendered to Commerce on August 1, 2023.

3.The Ordinance amends Section 30-693 of the Village’s Code to provide that outdoor storage and display areas within Tourist Commercial (TC) zoning district are no longer permitted uses and shall be reviewed either as a minor conditional use or a major conditional use, depending on the location of the lot. The Ordinance also provides that a boat dealership within the TC zoning district is an accessory to a marina and reviewed as a major conditional use.

**CONCLUSIONS OF LAW**

4.Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.

5.“Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6.The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Policies 1-1.2.1, 1-2.4.1, 1-2.4.6, 1-4.2.1, 1-4.6.1, 1-4.10.3, 1-4.10.6, 5-1.6.2, 5-1.6.8, 5-1.9.1, 8-1.3.1 and Objectives 1-2.4, and 5-1.1.

7.All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Village are set forth in Section 380.0552(7), Florida Statutes.

8.The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following Principles:

(a)Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(d)Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

(f) Enhancing natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(n)Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 23-09 is consistent with the Village’s Comprehensive Plan and the Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes final 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ Meredith Ivey, Meredith Ivey, Deputy Secretary, Division of Community Development, Florida Department of Commerce.

Notice of administrative rights

Any person whose substantial interests are affected by this final order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the FLORIDA department of COMMERCE within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk, FLORIDA Department of COMMERCE, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230.

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**CERTIFICATE OF FILING AND SERVICE**

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/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128.

By U.S. Mail:

Joseph “Buddy” Pinder, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Marne McGrath, Village Clerk, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Jennifer DeBoisbriand, Planning Director, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036.

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**Section XIII**

**Index to Rules Filed During Preceding  
Week**

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

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