

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

NONE

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

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-103.002	Inmate Grievances - Terminology and Definitions
33-103.005	Informal Grievance
33-103.006	Formal Grievance - Institution or Facility Level
33-103.007	Appeals and Direct Grievances to the Office of the Secretary
33-103.011	Time Frames for Inmate Grievances
33-103.013	Classification of Grievance
33-103.014	Reasons for Return of Grievance or Appeal Without Processing
33-103.015	Inmate Grievances - Miscellaneous Provisions

**PURPOSE AND EFFECT:** The purpose of the proposed amendments is to clarify and update procedures related to the inmate grievance process, add new grievance codes, and clean up language. Some of the proposed amendments arise from the 5-year rule review process required by Section 120.5435, Florida Statutes.

**SUMMARY:** The amendments to these rules clarify and update procedures related to the inmate grievance process, add a new grievance code, and clean up 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 Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not

exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09, F.S.

LAW IMPLEMENTED: 944.09, 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: Richard Brown, Office of the General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399, (850)717-3605, FDCRuleCorrespondence@fdc.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**33-103.002 Inmate Grievances – Terminology and Definitions.**

The following terms, as defined, shall be used uniformly standard usage throughout the Department when referring to inmate grievances and the inmate grievance procedure:

- (1) No change.
- (2) Bureau of Policy Management and Inmate Appeals: The bureau authorized by the Secretary to receive, review, investigate, evaluate, and respond to grievance appeals and direct grievances as defined in subsection (7) of this rule. The Bureau of Policy Management and Inmate Appeals is located in the Office of the General Counsel and is managed by the Chief of Policy Management and Inmate Appeals.
- (3) through (4) No change.
- (5) Formal Grievance: A statement of complaint filed at the institutional or facility level with the warden, assistant warden, or deputy warden, through the use of Form DC1-303, Request for Administrative Remedy or Appeal. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C. Formal grievances are addressed in Rule 33-103.006, F.A.C. ~~The effective date of the form is 2-9-05.~~
- (6) Grievance: A written complaint or petition, either informal or formal, by an inmate concerning an incident or condition within an institution, facility, or the Department which affects the ~~inmate~~ complainant personally.
- (7) through (11) No change.
- (12) Informal Grievance: An initial statement of complaint filed on a Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. ~~The effective date of the form is 6-12.~~
- (13) Inmate Grievance Log System: A database used to store and maintain log numbers, dates, responses, dispositions,

and other relevant data on all inmate formal grievances and appeals. The Grievance Log is described further in Rule 33-103.012, F.A.C.

~~(14)~~(13) Literature Review Committee: The final reviewing authority for appeals regarding rejected reading material. The committee is composed of the Bureau Chief of Security Operations or designee his or her representative, the Bureau Chief of Policy Management and Inmate Appeals or designee his or her representative, and the Bureau Chief of Education or designee Library Services Administrator or his or her representative.

~~(15)~~(14) No Change.

~~(16)~~(15) Reviewing Authority: A staff member authorized to sign grievances or appeals as the final authority for review, e.g., warden, assistant warden, deputy warden, or the Secretary's representative. The reviewing authority is based on the type of grievance, as follows:

(a) No change.

(b) Formal Grievance:

1. No change.

2. Contractor-operated Private Correctional Facilities – warden or deputy warden;

3. No change.

(c) Grievance Appeals: Chief of Policy Management and Inmate Appeals, inmate grievance administrator, or correctional services administrator designated by the Secretary to serve as his or her representative.

(d) Direct grievances:

1. A direct grievance which is to be reviewed by the warden: The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to contractor-operated private facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, or grievances of reprisal.

2. A direct grievance which is to be reviewed by the Bureau of Policy Management and Inmate Appeals: The Bureau Chief, or other designated staff will may serve as the Secretary's representative in responding to these issues.

~~(17)~~(16) No Change.

~~(18)~~(17) Sexual Abuse.

(a) No change.

(b) Any of the following acts perpetrated by a staff member, contractor, or volunteer against an inmate, with or without consent of the inmate:

1. through 5. No change.

6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in ~~the above~~ subparagraphs 1. – 5. of this paragraph subsection;

7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate; and

8. No change.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.002, Amended 10-11-00, 1-2-03, 9-16-03, 2-9-05, 3-25-08, 5-27-12, 11-7-12, 11-24-13, \_\_\_\_\_.*

### 33-103.005 Informal Grievance.

(1) Inmates shall utilize the informal grievance process prior to initiating a formal grievance. An inmate inmates may skip this step and initiate the process at the formal institutional level for issues pertaining to the following: grievance of an emergency nature; grievance of reprisal; grievance alleging violations of the Americans with Disabilities Act; medical grievance; grievance involving gain time governed by Rule 33-601.101, F.A.C., Incentive Gain Time; grievance challenging placement in close management or subsequent reviews; grievances regarding the return of incoming mail governed by Rule 33-210.101, F.A.C.; grievance subsection 33 210.101(14), F.A.C., grievances regarding disciplinary action (does not include corrective consultations) governed by Rules 33-601.301-.314, F.A.C.; and grievance grievances regarding allegations of sexual abuse as defined in Rule 33-103.002 subsection 33 103.002(17), F.A.C. An inmate inmates may proceed directly to the Office of the Secretary on the following issues, as provided in Rule 33-103.007, F.A.C. governed by subsection 33 103.007(6), F.A.C.: grievance of emergency nature; grievance of reprisal; and grievance pertaining to; protective management, admissible reading material, sentence structure issues (release date calculations), and inmate banking issues. Grievances alleging a HIPAA violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Appeal, Form DC1-303, Request for Administrative Remedy or Appeal. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(a) No change.

(b) After being logged, informal grievances shall be forwarded to the staff member who is responsible in the particular area of the problem, the classification team, the appropriate section head, or other institutional staff. When an informal grievance is received by the reviewing authority as defined in Rule 33-103.002, F.A.C., the reviewing authority shall respond to the grievance or refer the grievance to a staff member for response.

(c) No change.

(2) When submitting an informal grievance, the inmate shall use Form DC6-236, Inmate Request, and shall:

(a) Check the appropriate box indicating to whom he or she is submitting the informal grievance. If the inmate checks the box designated “other,” and elects to name a specific staff member, the final determination of the appropriate person to handle the grievance shall ultimately be made by staff. The inmate shall complete the other sections of the heading;

(b) On the line reading “Request,” the inmate shall check the box indicating to indicate that Form DC6-236 is being used as an “Informal Grievance.” Failure to do this will cause the request to be handled routinely, and it will not be considered an informal grievance. This will also cause the form to be unacceptable as documentation of having met the informal step if it is attached to a formal grievance submitted at the next step.

1. The act of asking questions or seeking information, guidance, or assistance is not considered ~~to be~~ a grievance. Answers to inmate requests of this nature shall not be considered as documentation of having completed ~~met~~ the informal step if they are attached to a formal grievance submitted at the next step. Inmate requests improperly submitted as informal grievances shall be treated as inmate requests, and the inmate shall be advised that he or she cannot appeal the response. Informal grievances that are determined to be merely inmate requests will not be logged in the Inmate Grievance Log System.

2. When completing the inmate request form for submission as an informal grievance, the inmate shall ensure that the form is legible, that included facts are accurately stated, and that only one issue or complaint is addressed. The inmate must state his or her grievance on limit all grievance narrative ~~to~~ Form DC6-236. If additional space is needed, the inmate shall use attachments rather than multiple copies of Form DC6-236. No more than, and only two additional pages of narrative will be allowed. A single sheet of paper with writing on the front and back is considered two pages. The inmate shall sign and date the form, and write in his or her Department of Corrections number, and submit forward the informal grievance to the designated staff person. If an inmate fails to sign his or her grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate’s grievance. Form DC6-236 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-10011>. The effective date of the form is 11/18.

(3) Upon receipt of the informal grievance, the recipient shall note the date on the form. The institutional grievance grievance coordinator shall date-stamp Form DC6-236, in the designated area on the form, with the date the grievance was retrieved from the grievance box.

(4) The informal grievance shall be responded to within 15 days of the initial receipt date as noted on the informal grievance log.

(a) The recipient shall provide the inmate with a written response, even if an interview with the inmate has occurred concerning the subject matter of the grievance. This is required because, except as noted in subsection (1) of this rule, due to the fact that if the inmate desires to pursue his or her grievance at the next level, he or she must ~~except in cases previously noted, he is required to~~ attach a copy of his or her informal grievance and response.

(b) through (c) No change.

(5) It is the Department’s ~~policy of the department~~ that all inmate request forms be answered.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, 3-25-08, 1-31-10, 5-27-12, 11-7-12, 11-24-13, 4-20-14, 12-30-14, 11-7-18,\_\_\_.*

### **33-103.006 Formal Grievance – Institution or Facility Level.**

(1) When an inmate decides to file a formal grievance, he or she shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal, and filing within the time limits set forth in Rule ~~R~~ 33-103.011, F.A.C. Form DC1-303 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03315>. The effective date of the form is 11-13.

(a) In institutions and contractor-operated private correctional facilities, inmates shall direct this form to the warden or the assistant warden or deputy warden (deputy warden applicable to contractor-operated facilities only) ~~as defined in paragraph 33-103.002(15), F.A.C.~~

(b) No change.

(2) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form, printing his or her committed name, Department of Corrections number, institution or facility name and checking the appropriate box.

(b) The inmate shall sign and date the form, indicating his or her Department of Corrections number. If the inmate fails to sign the grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate’s grievance.

(c) The inmate shall state his or her grievance in Part A of Form DC1-303. If additional space is needed, the inmate shall use attachments rather than multiple copies of Form DC1-303. Only 2 additional pages of narrative will be allowed. A single sheet of paper with writing on the front and back is considered

~~two pages.~~ If the inmate writes his or her complaint anywhere other than within the boundaries of Part A or on the 2 allowable attachment pages, his or her grievance shall be returned for non-compliance.

(d) through (f) No change.

(g) The inmate shall attach to Form DC1-303 a copy of the informal grievance and the response to the informal grievance ~~to Form DC1-303~~, unless the grievance is a direct formal grievance of the following: an emergency grievance that is one of the types identified in paragraphs (3)(a) – (j) of this rule. Any other pertinent documentation shall be attached also. Informal grievances that are determined to be inmate requests pursuant to Rule 33-103.005, F.A.C. as described in subparagraph 33-103.005(2)(b)1., F.A.C., shall not be accepted as documentation of having met the requirements of the informal grievance step.

(h) No change.

(i) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of Part PART A of Form DC1-303, Request for Administrative Remedy or Appeal. Amendments are to be filed only regarding issues unknown or unavailable to the inmate at the time of filing the original grievance and must be submitted within a reasonable time frame after ~~of~~ knowledge of the new information.

(j) If the inmate or third party is filing a grievance involving sexual abuse, he or she shall clearly state it shall be clearly stated in the first line of the grievance the that it is a grievance is related to sexual abuse. Also on Form DC1-303, a third-party the third-party filer shall check the box next to “Third Party Grievance Alleging Sexual Abuse.” If this statement is not included in the grievance and/or and if the third-party third party box is not checked, the grievance shall still be responded to. This will not be a reason to return the grievance without action to the filer.

(k) If the inmate is claiming visual impairment that requires accommodation, the inmate must, they shall clearly state this that in the first line of his or her their grievance in order to receive the five additional days for filing provided by Rule 33-103.011 to file their grievance as outlined in subsection 33-103.011(4), F.A.C.

(3) The following types of grievances may be filed directly with the reviewing authority, as defined in Rule 33-103.002 subsection 33-103.002(15), F.A.C., bypassing by passing the informal grievance step, and may be placed in a sealed envelope:

(a) Emergency Grievance – Upon receiving an emergency grievance receipt, the reviewing authority as defined in Rule 33-103.002, F.A.C. paragraph 33-103.002(15), F.A.C., shall take the following action as soon as possible, but no later than

the time frames provided in this paragraph, two calendar days following receipt:

1. Within two (2) calendar days after receipt: Review complaint and contact staff for additional information if necessary;

a. Review the complaint to determine whether an emergency exists, contacting staff for additional information if necessary.

b. If an emergency is found to exist, initiate action to alleviate the condition giving rise to the emergency.

2. Within three (3) working days after receipt: If an emergency is not found to exist, provide a signed and dated response to the inmate, clearly stating that the grievance is “not an emergency” and instructing the inmate to resubmit the grievance at the proper level. If an emergency is found to exist, initiate action to alleviate condition giving rise to the emergency;

3. Within fifteen (15) calendar days after receipt: If an emergency is found to exist, pProvide a formal response to the inmate within 15 calendar days as required by subsection 33-103.011(3), F.A.C. paragraph 33-103.011(3)(d), F.A.C.; and

4. If an emergency is not found to exist, a response will be provided to the inmate indicating that the complaint is “not an emergency” with instructions to resubmit at the proper level, signed and dated by the responding employee, and returned to the inmate within 72 hours of receipt.

(b) through (c) No change.

(d) Grievance Grievances involving inmate banking bank issues.

(e) through (h) No change.

(i) Grievance regarding the return of incoming mail governed by Rule 33-210.101 subsection 33-210.101(14), F.A.C.

(j) Grievance Grievances alleging sexual abuse as defined in Rule 33-103.002 subsection 33-103.002(17), F.A.C.

1. If an inmate believes he or she is the victim of sexual abuse they should immediately report it. There are several ways that allegations of sexual abuse may be reported, filing a grievance grievances is one of those ways. If an inmate decides to use the grievance process to report sexual abuse they must complete form DC1-303, Request for Administrative Remedy or Appeal and file within the requirements and guidelines listed below. This rule is established to meet the requirements of the Prison Rape Elimination Act (PREA) of 2003. 28 CFR Part 115.

a. The grievance should begin at the formal level at the institution unless filing pursuant to subsection 33-103.007(3), F.A.C. paragraph 33-103.007(6)(a), F.A.C., or subparagraph 33-103.007(6)(b)5., F.A.C. There is no time limit on when an inmate or third party may initiate a grievance regarding allegations of sexual abuse. However, normal time limits as

described in ~~Rule~~ Rule 33-103.011, F.A.C., will apply when the inmate receives the response to the formal grievance and elects to proceed to the next level of review. Staff shall comply with response time requirements outlined in ~~Rule~~ Rule 33-103.011, F.A.C.

b. Inmates filing grievances alleging sexual abuse shall not be instructed to file the grievance to the individual(s) who are the subject(s) of the complaint. ~~Additionally~~ Grievances of this nature shall not be referred to the subject(s) of the complaint.

c. No change.

d. Third parties must use the official Form DC1-303 which can be obtained ~~pursuant to~~ from subsection (1) of this rule. The form may also be requested from the inmate's current location or the Department's Central Office at 501 South Calhoun Street, Tallahassee FL 32399. On Form DC1-303 the ~~third-party~~ third-party filer shall check the box next to "Third Party Grievance Alleging Sexual Abuse." Additionally, when a third party files a sexual abuse grievance, they must complete the information that identifies the inmate on the top of the form and place their signature and the date at the bottom of the form. When completed, a ~~third-party~~ third-party filer who is not an inmate, shall mail the form to the attention of the warden at the institution where the inmate is currently housed, unless the grievance is filed pursuant to subsection 33-103.007(3), F.A.C. ~~paragraph 33-103.007(6)(a), F.A.C.~~ When the ~~third-party~~ third-party filer is an inmate, the grievance shall be submitted ~~submitted~~ pursuant to subsection ~~subsections~~ (8) ~~or (9)~~ of this rule.

e. When a ~~third party initiates~~ third parties initiate a sexual abuse grievance, the inmate will be notified by institutional staff. A staff member shall interview the inmate within 2 business days of receipt of the ~~third-party~~ third-party grievance alleging sexual abuse. During this interview the inmate shall elect to allow the grievance to proceed or request that the grievance be stopped by completing the top half of Form DC6-236, Inmate Request, stating whether he or she elects for the grievance to proceed or be stopped. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. The institution shall document the inmate's desire to either allow or refuse the grievance to proceed under the response section of Form DC6-236. ~~Form DC6-236 is incorporated by reference in rule 33-103.005, F.A.C.~~ A copy of the Inmate Request will be placed in the inmate's file. If the inmate refuses to allow the grievance to proceed on his or her ~~their~~ behalf, staff will also document the refusal in the Inmate Grievance Log System IGLOGS and designate the grievance as "withdrawn." ~~IGLOGS is the Inspector General Office Log System (Database) that is utilized to store and maintain log numbers, dates, responses, dispositions, and other relevant data on all inmate formal grievances and appeals.~~

f. If the inmate agrees to let the grievance filed by a third party proceed, staff shall log the ~~third-party~~ third-party grievance alleging sexual abuse and provide a receipt to the inmate. The response will be provided to the inmate. If the inmate is unsatisfied with the response to the formal grievance they may file an appeal on Form DC1-303. The third party who initiated the formal grievance cannot appeal the decision when it is rendered. Staff shall notify the ~~third-party~~ third-party filer of the disposition rendered on the grievance. In accordance with ~~HIPAA the Health Insurance Portability and Accountability Act,~~ specifics of the case shall not be divulged to the third party.

g. through i. No change.

(4) Inmates filing the types of grievances identified in paragraphs (3)(a), (c) and (d) ~~of this rule ,above,~~ shall clearly state their reasons for bypassing ~~by passing~~ the informal grievance step and shall state the subject of the grievance at the beginning of Part A of Form DC1-303, Request for Administrative Remedy or Appeal, ~~the subject of the grievance.~~ If the inmate fails ~~Failure~~ to do so and/or fails ~~and failure~~ to justify filing directly, ~~shall result in~~ the formal grievance will ~~be being~~ returned without action to the inmate with the reasons for the return specified.

(5) Upon receipt of the formal grievance, the reviewing authority as defined in Rule 33-103.002 subsection 33-103.002(15), F.A.C., shall cause the following to occur:

(a) The grievance and related attachments shall be examined for compliance with Chapter 33-103, F.A.C.;

(b) No change.

(c) The subject matter of the grievance, shall be indicated on the receipt according to the classification of grievances, Rule 33-103.013, F.A.C.; and

(d) A formal grievance may be returned to the inmate without further processing for any one or more of the reasons stated in Rule 33-103.014, F.A.C., ~~with no further processing.~~

(6) Following investigation and evaluation by the reviewing authority as defined in Rule 33-103.002 paragraph 33-103.002(15), F.A.C., a response shall be provided to the inmate within 20 calendar days of receipt of the formal grievance, as required by subsection 33-103.011(3) paragraph 33-103.011(3)(b), F.A.C. The degree of investigation is determined by the complexity of the issue and the content of the grievance. The response shall state whether the grievance is approved, denied, or being returned and ~~shall also state~~ the reasons for the approval, denial, or return.

(a) through (b) No change.

(c) The reviewing authority as defined in Rule 33-103.002 subsection 33-103.002(15), F.A.C., shall retain a complete copy of the grievance on file.

(d) No change.

(7) The response to the formal grievance shall include the following statement, or one similar in content and intent, if the

grievance is denied: You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form, providing attachments as required by subsection 33-103.007(2) paragraphs 33-103.007(3)(a) and (b), F.A.C., and forwarding your complaint to the Bureau of Policy Management and Inmate Appeals, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

(8) If an inmate is in a special housing unit and wants to file a grievance, he or she shall submit the grievance to designated staff by placing the grievance in a locked box. The designated staff person shall deliver the box to the institutional grievance coordinator who will unlock the box, remove the grievances, log the grievances, and provide the inmates with receipts.

(9) No change.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05, 10-28-07, 3-25-08, 5-27-12, 11-7-12, 11-24-13, 4-20-14, 11-7-18, \_\_\_\_\_.*

### **33-103.007 Appeals and Direct Grievances to the Office of the Secretary.**

(1) ~~If in the event that an inmate feels his or her grievance was improperly denied at the formal grievance level that the grievance has not been satisfactorily resolved during the formal grievance procedure, he or she may submit an appeal to the Office of the Secretary may be submitted~~ according to the time limits set forth in Rule 33-103.011, F.A.C., using Form DC1-303, Request for Administrative Remedy or Appeal, ~~to the Office of the Secretary~~ without interference from staff. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(2) Grievance appeals – If the grievance appeal is not a direct grievance to the Office of the Secretary, the inmate shall:

(a) Attach a copy of his or her formal grievance and response, except when appealing issues regarding requests for protective management, admissible reading material, sentence structure (release date calculations), inmate banking, emergencies, or allegations of reprisal. (These may be filed directly to the Office of the Secretary).

(b) Attach a copy of his or her informal grievance and response, except when appealing issues regarding one of the types identified in subsection 33-103.006(3), F.A.C. paragraph (3)(a) — (j) of this rule.

(c) No change.

(d) Submit the complete form with attachments to the Office of the Secretary in accordance with subsection (5) of this rule. Incomplete grievances will be 33-103.007(5), F.A.C. Failure to submit a complete grievance shall result in the grievance being returned to the inmate without action.

(e) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of Part PART A of Form DC1-303, Request for Administrative Remedy or Appeal.

(f) If the inmate is claiming visual impairment that requires an accommodation, the inmate must clearly state this in the first line of his or her grievance in order to receive the five additional days for filing provided by Rule 33-103.011, F.A.C. they shall clearly state that in the first line of their grievance in order to receive the five additional days to file their grievance as outlined in subsection 33-103.011(1), F.A.C.

(3) Direct Grievances.

(a) Emergency grievances and grievances of reprisals, protective management, admissible reading material, grievances concerning sentence structure (release date calculations), inmate banking, issues or sexual abuse grievances when the abuse is alleged to have been committed by the Warden of the institution where the inmate is currently housed may be filed directly with the Office of the Secretary using ~~the Request for Administrative Remedy or Appeal, Form DC1-303, Request for Administrative Remedy or Appeal.~~ Grievances alleging a HIPAA violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303. The following shall apply:

1. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance either concerns ~~either~~ an emergency or is a grievance of a reprisal. When alleging HIPAA violations, the inmate shall state that the grievance concerns HIPAA at the beginning of Part A of Form DC1-303. The inmate or the third-party third-party filer of a sexual abuse grievance shall state at the beginning of Part A of Form DC1-303 that the grievance relates to is a sexual abuse related grievance. On Form DC1-303, a third-party the third-party filer shall check the box next to “Third Party Grievance Alleging Sexual Abuse.”

2. The inmate must clearly state the reason for not initially bringing the complaint to the attention of institutional staff and instead bypassing by passing the informal and formal grievance steps of the institution or facility, except in the case of a HIPAA violation grievance, which must be filed directly with the Office of the Secretary. In the case of a sexual abuse grievance, the inmate or the third-party third-party filer must clearly state that the formal grievance step of the institution or facility was bypassed by passed because the abuse is alleged to have been committed by the Warden of the institution where the inmate is currently housed.

3. The inmate may forward grievances of these types to the Office of the Secretary in a sealed envelope, by following the procedure set out in paragraph (5)(e) of this rule, below. When the Office of the Secretary receives a direct grievance alleging

a violation of HIPAA is received at the Office of the Secretary, the Bureau of Policy Management and Inmate Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services Director for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate ~~and in order to~~ respond. ~~After a response has been prepared and signed by~~ ~~Following preparation of a response and signature of~~ the responding employee, the grievance shall be returned to the Bureau of Policy Management and Inmate Appeals to ensure appropriate filing and routing.

(b) Emergency Grievances. An emergency grievance may be filed directly with the Office of the Secretary. Upon ~~receiving an emergency grievance receipt~~, staff of the Bureau of Policy Management and Inmate Appeals shall take the following actions as soon as possible, but no later than ~~the time frames provided in this paragraph~~ two calendar days following receipt:

1. ~~Within two (2) calendar days after receipt: Review complaint and contact staff for additional information if necessary;~~

a. ~~Review the complaint to determine whether an emergency exists, contacting staff for additional information if necessary.~~

b. ~~If an emergency is found to exist, initiate action to alleviate the condition giving rise to the emergency.~~

2. ~~Within three (3) working days after receipt: If an emergency is not found to exist, provide a signed and dated response to the inmate, clearly stating that the grievance is "not an emergency," and instructing the inmate to resubmit the grievance at the appropriate level, if the applicable time frame has not expired. If an emergency is found to exist, initiate action to alleviate the condition giving rise to the emergency;~~

3. ~~Within fifteen (15) calendar days after receipt: If an emergency is found to exist, provide a formal response to the inmate as required by subsection 33-103.011(3), F.A.C. Provide a formal response to the inmate within 15 calendar days; and~~

4. ~~If an emergency is not found to exist, it will be clearly marked on the grievance "not an emergency," signed and dated by the responding employee, and returned to the inmate within three working days of receipt as his reasons for by passing the previous level of review will not be valid.~~

~~4.5.~~ An inmate may file an emergency grievance if ~~the inmate believes he or she is~~ ~~they believe they are~~ subject to a substantial risk of imminent sexual abuse. When receiving an emergency grievance from an inmate expressing belief ~~that he or she is~~ ~~they are~~ subject to a substantial risk of imminent sexual abuse, the institution must take immediate corrective action. Staff handling this grievance shall provide an immediate

response within 48 hours and shall issue a final decision within 5 calendar days from the receipt of the grievance. The final decision will document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

(c) Grievances filed directly with the Office of the Secretary that are grievances of reprisal; ~~grievances pertaining to~~; protective management, admissible reading material, sentence structure (release date calculations), ~~or~~ inmate banking; ~~issues~~, or ~~grievances~~ ~~a grievance~~ alleging a violation of HIPAA shall be responded to according to ~~established~~ time frames ~~established by Rule 33-103.011, F.A.C.~~

(d) ~~If, following receipt and review of a~~ ~~Upon receipt and of the direct grievance, and following review of the same, if~~ it is determined that the grievance is not an emergency grievance; ~~a grievance of reprisal; a grievance alleging a violation of HIPAA; or a grievance pertaining to~~; protective management, admissible reading material, sentence structure (release date calculations), ~~or~~ inmate banking ~~issues~~, or ~~a grievance alleging a violation of HIPAA~~, the grievance shall be returned to the inmate with the reasons for return specified, advising the inmate to resubmit his or her grievance at the appropriate level. The other applicable procedures in ~~Rule 33-103.007, F.A.C.~~, governing the processing of appeals to the Office of the Secretary shall apply to these types of grievances.

(4) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of ~~the~~ ~~F~~form DC1-303 by printing his or her committed name, Department of Corrections number, and institution or facility name and shall check the appropriate box.

(b) The inmate shall state his or her grievance in Part A of ~~Form DC1-303~~. If additional space is needed, the inmate shall use attachments rather than multiple copies of Form DC1-303. ~~No more than two~~ ~~Only 2~~ additional pages of narrative will be allowed. ~~If an inmate uses the front and back of a single sheet of paper, it will count as two pages.~~ If the inmate writes his or her complaint anywhere other than within the boundaries of the Part A ~~b~~Box or on the ~~two (2)~~ ~~2~~ allowable attachment pages, ~~the his~~ grievance or appeal shall be returned for non-compliance.

(c) The inmate shall sign and date the ~~F~~form DC1-303, indicating his or her Department of Corrections number. If the inmate fails to sign the grievance or appeal, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance or appeal.

(d) The ~~F~~form DC1-303 shall be legible, and the grievance or appeal shall be clearly stated.

(e) through (g) No change.

(h) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of ~~Part~~ ~~PART~~ A of Form DC1-303, Request for

Administrative Remedy or Appeal. Amendments ~~may be to~~ be filed only regarding issues unknown or unavailable to the inmate at the time ~~he or she filed~~ of filing the original grievance. Amendments ~~and~~ must be submitted within twenty days of the date reflected on the Department's response to the appeal.

(i) If the inmate or third party is filing a grievance involving sexual abuse, ~~he or she must clearly state this~~ it shall be clearly stated in the first line of the grievance ~~that it is a grievance related to sexual abuse. A third-party filer must also~~ Also on Form DC1-303 the third party filer shall check the box next to "Third Party Grievance Alleging Sexual Abuse" on Form DC1-303. However, if this statement is not included in the grievance ~~and/or and if the third-party third-party box is not checked, the grievance shall be responded to. This will not be a reason to return the grievance without action to the filer.~~

(j) through (k) No change.

(5) Mailing Procedures. The warden or person designated in Rule 33-103.002, F.A.C., shall establish a procedure in the institution or facility under his or her supervision for processing ~~those~~ grievances and appeals that require mailing. Inmates who are filing grievances or appeals that require mailing must use ~~shall be required to utilize~~ the procedure set forth in this rule when sending their grievances or appeals to the Bureau of Policy Management and Inmate Appeals in central office. The institution or facility shall provide postage for grievances or appeals submitted through this process. Procedures implemented shall include, at a minimum, the following:

(a) through (b) No change.

(c) A requirement that the staff person designated to accept the grievances and appeals to be mailed shall do the following for as to those grievances that are ~~not in a sealed envelope and are placed in the grievance box without a sealed envelope:~~

1. For each grievance appeal or direct grievance to the Office of the Secretary, date-stamp the bottom-left portion of Form DC1-303 with, reflecting the date the grievance or appeal was received or collected from the grievance box.

2. Complete the receipt portion of Form DC1-303 for grievances or appeals being forwarded to central office by entering a logging/tracking number and date of receipt, and signing shall sign as the recipient.

3. through 4. No change.

(d) An inmate ~~Inmates~~ shall have his or her grievance or appeal ready for mailing at the time he or she submits it to staff for processing as described in paragraph (c) of this subsection, ~~above.~~ Once this process has been completed, the grievance or appeal will not be returned to the inmate.

(e) Inmates ~~may be also permitted to~~ elect to submit grievances and appeals in sealed envelopes. The inmate must note on the envelope that the content is either an appeal or a direct grievance to the Secretary of the Department. The ~~Such~~ a sealed envelope may be placed in the locked grievance box,

just as a grievance or appeal that is not in a sealed envelope would be. Such grievances shall be processed as follows by institutional staff:

1. through 2. No change.

3. No institutional staff member person shall read or classify the grievance or appeal.

4. No change.

(f) ~~Those~~ Grievances and appeals that are placed in the grievance box, whether or not they are in a sealed envelope, will be forwarded to the Bureau of Policy Management and Inmate Appeals after being processed for mailing as described above.

~~(g) Inmates are also permitted to place their grievances and appeals in a sealed envelope with adequate postage and place that sealed envelope into the locked grievance box.~~

1. ~~The inmate must note on the envelope that the content is either an appeal or a direct grievance to the Secretary of the Department.~~

2. ~~The inmate shall place the appeal or direct grievance into the locked grievance box.~~

3. ~~The mail collection representative shall not open the mail nor ask nor order the inmate open it.~~

4. ~~The individual processing the appeals and direct grievances shall date stamp the back of the envelope.~~

5. ~~The sealed envelope shall not be returned to the inmate's possession.~~

6. ~~No inmate shall present any other mail in a sealed envelope.~~

7. ~~The envelope containing the appeal or direct file grievance shall be processed as routine mail pursuant to rule 33-210.101, F.A.C.~~

(6) Processing of Grievance Appeals and Direct Grievances by Central Office Staff.

(a) Upon receipt of a mailed grievance or appeal by the Bureau of Policy Management and Inmate Appeals, the Bureau of Policy Management and Inmate Appeals shall cause the following to occur:

1. The grievance or appeal shall be examined for compliance with Chapter 33-103, F.A.C.

2. through 3. No change.

4. The receiving office shall review the grievance or appeal, and determine the classification of the grievance or appeal, and enter the same on the receipt that is returned to the inmate. The subject matter of the grievance shall be indicated on the receipt according to the classification of the grievance, as specified in Rule 33-103.013, F.A.C. A receipt shall be provided to the inmate, unless it is determined the appeal was filed in non-compliance and will be returned to the inmate pursuant to Rule 33-103.014, F.A.C.

5. In addition to dating the receipt portion of the grievance or appeal, as required by subparagraph (6)(a)3., of this rule mentioned above, staff shall date-stamp the grievance or appeal

with the current day's date in the upper right corner of the Form DC1-303.

(b) Staff shall determine whether the grievance or appeal has been timely filed. The decision of whether or not the grievance or appeal has been timely filed by the inmate shall be made based upon the following comparisons:

1. In the case of an appeal being filed with the central office, by comparing the receipt date ~~that~~ institutional staff placed on the Form DC1-303 ~~form~~ or the outside of the envelope in accordance with subparagraph ~~(5)(c)1.~~, of this rule 33-103.007(5)(c)1., F.A.C., to the ~~return~~ date of the formal grievance left ~~(the date the grievance leaves the recipient's office).~~

2. In the case of a grievance being filed directly at the central office level, by comparing the receipt date on the Form DC1-303 ~~form~~ to the date of the incident or situation giving rise to the complaint.

(c) No change.

(d) A grievance appeal or direct grievance may be returned to the inmate without further processing for any one or more of the reasons stated in Rule 33-103.014, F.A.C., ~~without further processing.~~

(e) No change.

(f) The response shall state whether the appeal or direct grievance is approved, denied, or ~~being~~ returned and shall ~~also~~ state the reasons for the approval, denial, or return. The criteria considered in approving, denying, or returning an appeal or direct grievance will vary with the facts of the grievance.

(7) The Office of the Secretary has designated the Bureau of Policy Management and Inmate Appeals to receive, review, investigate, evaluate and respond to appeals and direct grievances filed with the Office of the Secretary. Appeals and direct grievances to the Office of the Secretary shall be turned over that same date to the Bureau of Policy Management and Inmate Appeals which shall ensure that the grievance is date-stamped ~~in~~ on the date of receipt.

(8) If the grievance or appeal is returned to the institution or facility for further investigation or response, the inmate may, following receipt of that response, re-file with the Office of the Secretary pursuant to the procedures set forth in this rule 33-103.007, F.A.C., if he or she is not satisfied with the response.

(9) Copies.

(a) No change.

(b) Before being returned to the inmate, the original grievance or appeal must be scanned into One copy shall be forwarded to the Regional Scanning Center for inclusion in the inmate's record electronic central office file.

(c) Attachments are considered a part of the grievance and shall not be returned to the inmate, except in those cases where the inmate submits sufficient copies of attachments at the time the grievance appeal is filed.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, 6-29-03, 2-9-05, 8-21-06, 3-25-08, 6-13-12, 11-7-12, 11-24-13, 4-20-14, 11-7-18.*

### 33-103.011 Time Frames for Inmate Grievances.

When determining the time frames for grievances in all cases, the specified time frame shall commence on the day following the date of the incident or response to the grievance at the previous level. For example, if an incident occurred on December 1, fifteen days from that date would be December 16.

(1) Filing of Grievances.

(a) Informal Grievances – Must be received within 20 days of when the incident or action being grieved occurred, unless the inmate has requested in writing and received approval for a 45 day extension to file an informal grievance about being physically restrained during pregnancy, labor, or post-partum recovery, pursuant to Rule 33-602.211, F.A.C. The request for an extension must be submitted on Form DC6-236, Inmate Request, and received within 20 days of the application of restraints. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C.

1. ~~In instances~~ When an inmate places his or her grievance or extension request into the grievance box on the 20th day after the date of the alleged incident, but after the grievances were retrieved from the box for that day, the grievance ~~it~~ shall be treated as timely.

2. When ~~if~~ the grievance of an inmate who was granted a 45-day extension ~~that~~ is retrieved from the grievance box on the 66th day and dated accordingly by Department staff, the grievance shall be treated as timely.

(b) Formal Grievances – Must be received no later than 15 calendar days from:

1. No change.

2. The date on which the incident or action being grieved occurred, if an informal grievance was not filed pursuant to the circumstances specified in subsection 33-103.006(3), F.A.C., unless the grievance is an issue related to sexual abuse.

3. ~~In instances~~ When an inmate places his or her grievance into the grievance box on the 15th day after the date of such response or such alleged incident/action, but after the grievances were retrieved for that day, the grievance ~~it~~ shall be treated as timely.

4. Pursuant to paragraph 33-103.006(3)(j) sub-subparagraph 33-103.006(3)(j)1.a., F.A.C., and notwithstanding the above provisions, sexual abuse grievances filed ~~either~~ by the inmate or a third party may be filed at any time after the incident is alleged to have occurred. After the initial filing, all other applicable timeframes shall apply.

5. If the grievance is filed by an inmate who is visually impaired and ~~that~~ requires accomodation, as provided in Rule

33-210.201, F.A.C., the formal grievance must be received within 20 calendar days from the date the informal grievance was responded to or the date on which the incident or action being grieved occurred.

(c) Grievance Appeals to the Office of the Secretary – Must be received within 15 calendar days from the date the response to the formal grievance is returned to the inmate.

1. ~~In instances W~~hen an inmate places his or her appeal into the grievance box on the 15th day after the date of the response to his or her formal grievance, but after the grievance box was emptied for that day, the grievance # shall be treated and processed as timely.

2. If the grievance is filed by an inmate who is visually impaired and that requires accomodation, as provided in Rule 33-210.201, F.A.C., the formal grievance must be received within 20 calendar days from the date the informal grievance was responded to or the date on which the incident or action being grieved occurred.

(d) Direct Grievances to the Office of the Secretary – Must be received within 15 calendar days from the date on which the incident or action being grieved ~~which is the subject of the grievance~~ occurred.

1. ~~In instances W~~hen an inmate places his or her grievance into the grievance box on the 15th day after the date on which the incident or action being grieved ~~which is the subject of the grievance~~ occurred, but after the grievance box was emptied for that day, the grievance # shall be treated and processed as timely.

2. If the grievance is filed by an inmate who is visually impaired and that requires accomodation, as provided in Rule 33-210.201, F.A.C., the formal grievance must be received within 20 calendar days from the date the informal grievance was responded to or the date on which the incident or action being grieved occurred.

(2) An extension of the ~~above stated~~ time periods provided in subsection (1) of this rule shall be granted when ~~an it is clearly demonstrated by the inmate~~ clearly demonstrates, to the satisfaction of the reviewing authority as defined in Rule 33-103.002 paragraphs 33-103.002(15)(b) and (c), F.A.C., or the Secretary, that it was not feasible to file the grievance within the relevant time periods and that the inmate made a good faith effort to file in a timely manner. An extension may be granted under this subsection for ~~The granting of such an extension shall apply to the filing of an original grievance or when re-filing a grievance after correcting one or more deficiencies cited in~~ Rule 33-103.014, F.A.C.

(3) Responding to Grievances.

(a) Informal Grievances – A written response to an informal grievance must be completed within 15 calendar days after the grievance is received. ~~Following the initial receipt of~~

~~an informal grievance, a written response shall be completed within 15 calendar days.~~ See Rule 33-103.005, F.A.C.

(b) Formal Grievances – The reviewing authority as defined in Rule 33-103.002 paragraph 33-103.002(15)(b), F.A.C., shall take action and respond to a formal grievance within ~~have up to~~ 20 calendar days after the grievance is received from the date of receipt of the grievance to take action and respond. See Rule 33-103.006, F.A.C.

(c) Grievance Appeals and Direct Grievances to the Office of the Secretary – A written response to a grievance appeal or a direct grievance to the Office of the Secretary must be completed ~~shall be responded to~~ within 30 calendar days after from the date of the receipt of the grievance is received. See Rule 33-103.007, F.A.C.

(d) Emergency Grievances – A written response to an emergency grievance must be completed ~~shall be responded to~~ within 15 calendar days after the grievance is received, ~~of receipt~~ pursuant to Rules 33-103.006 and 33-103.007 paragraphs 33-103.006(3)(a) and 33-103.007(6)(b), F.A.C.

(e) Emergency Grievances Alleging Substantial Risk of Imminent Sexual Abuse – Corroctive action must be taken shall be conducted within 48 hours after the grievance is received, and a response must be provided within 5 calendar days after the grievance is received.

(4) The time limit for responding to grievances and appeals may be extended for a reasonable period agreeable to both parties if the extension is agreed to in writing by the inmate. Unless the grievant has agreed in writing to an extension, expiration of a time limit at any step in the process shall entitle the complainant to proceed to the next step of the grievance process. If this occurs, the complainant must clearly indicate this fact when filing at the next step. If the inmate does not agree to an extension of time at the central office level of review, and provided the inmate is not required to file a Petition to Initiate Rulemaking pursuant to subsection 33-103.001(6), F.A.C., and section 120.54(7), F.S., he or she will have exhausted his or her administrative remedies and may he shall be entitled to proceed with judicial remedies as he would have exhausted his administrative remedies. The Bureau of Policy Management and Inmate Appeals will ~~nevertheless~~ ensure that the grievance is investigated and responded to even though the inmate has not agreed to an extension has not been agreed to by the inmate.

(5) If the 15th day referenced in paragraphs (1)(b), (c), and (d) of this rule 33-103.011(1)(b), (c), and (d), F.A.C., falls on a weekend or holiday, the due date shall be the next regular work day.

(6) If the 15th, 20th, or 30th day referenced in paragraphs (3)(a), (b), and (c) of this rule falls on a weekend or holiday, the due date shall be the next regular work day.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS.*

History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.011, Amended 2-9-05, 3-25-08, 5-27-12, 11-7-12, 11-24-13, 4-20-14, 11-7-18, \_\_\_\_\_.

### 33-103.013 Classification of Grievance.

Following receipt of the grievance or appeal, a computer-generated computer generated receipt or Part C of Form DC1-303 shall be completed and sent to the inmate unless the grievance is except for grievances returned for one or more of the reasons cited in Rule 33-103.014, F.A.C. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C. The subject area of the receipt shall indicate the major topic area of the grievance or appeal according to the following classifications:

(1) No change.

(2) Program Assignments – Complaints or objections concerning work, education, housing and other assignments; custody and security classification; classification decisions and actions; progress reviews; or protective custody.

(3) No change.

(4) Confinement – Complaints or objections concerning administrative and disciplinary confinement, privileges, program participation, or living conditions.

(5) through (7) No change.

(8) Legal – Complaints concerning sentence computation, release dates, gain time, jail time credits, religious accommodations, or due process.

(9) through (10) No change.

(11) Personal Property – Loss, damage, confiscation, or transfer of personal property.

(12) through (15) No change.

(16) Inmate Trust Fund Equipment – All complaints concerning inmate trust fund equipment or related services.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164. History—New 10-12-89, Amended 12-22-92, 8-10-97, 2-18-99, Formerly 33-29.013, Amended 6-29-03, 2-9-05, \_\_\_\_\_.

### 33-103.014 Reasons for Return of Grievance or Appeal Without Processing.

(1) The informal grievance, formal grievance, direct grievance, or grievance appeal, hereafter referred to as “grievance,” may be returned to the inmate without further processing if, following a review of the grievance, one or more of the following conditions are found to exist. The reasons listed below are the only reasons for returning a grievance without a response on the merits.

(a) through (e) No change.

(f) The inmate did not provide a valid reason for bypassing ~~by passing~~ the previous levels of review as required or the reason provided is not acceptable. This evaluation is made on a

case by case basis and the reasons for rejecting the complaint will vary with the facts alleged in the complaint.

(g) The grievance did not have the attachments required: informal grievance and response, except as allowed for in subsection 33-103.006(3) paragraphs 33-103.006(3)(a) through (h), F.A.C., or the formal grievance and response, except as provided for in subsection 33-103.007(3) 33-103.007(6), F.A.C.;

(h) The direct grievance to the Office of the Secretary was not received within 15 calendar days of the date that the incident or action being grieved occurred; ~~or~~

(i) No change.

(j) The inmate has not filed his or her grievance at the location he or she is presently assigned to as required by Rule 33-103.015 in subsection 33-103.015(4), F.A.C.

(k) through (o) No change.

(p) The inmate has filed more than one appeal of a grievance. This paragraph does not apply when would not include the situation where an inmate wishes to appeal the denial of his or her grievance as well as allege non-compliance with the grievance process. Because Since these are two separate issues, they must would have to be raised in separate grievances.

(q) through (s) No change.

(t) The inmate used more than two (2) additional narrative pages. A single sheet of paper with writing on the front and back is considered two pages.

(u) The inmate filed an informal grievance more than in excess to 20 days after from the time the event being grieved occurred.

(v) No change.

(w) The inmate is filing an informal grievance about being physically restrained pursuant to Rule 33-602.211, F.A.C., either beyond the initial required timeframe without first requesting and obtaining an extension; or has filed beyond an approved 45-day 45-day extension.

(x) The inmate fails to use his or her committed name as required by pursuant to Rules 33-603.101 and 33-103.006, F.A.C., when completing a grievance.

(y) No change.

(z) The inmate submitted the grievance as legal mail.

(2) An inmate who has a grievance returned to him for one or more of the reasons stated in paragraphs (1)(a), (b), (c), (f), (g), (j), (k), (l), (o), (s), (t), (x), (y), or (z) of this rule subsection (1), above [excluding paragraphs (1)(d), (e), (h), (i), (m), (n), (p), (q), (r), (u), (v) or (w)] may refile using utilizing the proper procedure and correcting or correct the stated deficiency (if applicable) and refile, but only if:

(a) The refiled grievance is refiled within the applicable time frame, or

(b) The inmate was granted permission to refile outside of the applicable time frame, and refiles within the extended time frame granted to the inmate pursuant to Rule 33-103.011 as set forth in subsection 33-103.011(2), F.A.C. When a grievance is returned to an inmate for being improperly filed, the inmate shall be told why the grievance was returned and ~~told that, unless instructed otherwise in the grievance response, in order to receive administrative review of his complaint~~ he or she must correct the defects and re-submit the grievance within the time frames set forth in Rule 33-103.011, F.A.C., ~~in order to receive administrative review of his or her complaint unless instructed otherwise in the grievance response.~~ Instructions to resubmit are not necessary if a grievance is returned for reasons stated in paragraphs (1)(d), (e), (h), (i), (m), (n), (p), (q), (r), (u), (v), or (w) of this rule.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, 5-10-98, Formerly 33-29.014, Amended 6-29-03, 2-9-05, 6-13-12, 11-7-12, 11-24-13, 11-7-18, \_\_\_\_\_.*

**33-103.015 Inmate Grievances – Miscellaneous Provisions.**

(1) No change.

(2) No change.

(3) The warden, assistant warden or deputy warden (deputy warden applicable to ~~contractor-operated private~~ facilities only) is authorized to designate other staff to receive, review, and investigate any grievance of an institutional nature. The warden is authorized to designate the assistant warden or deputy warden (deputy warden applicable to ~~contractor-operated private~~ facilities only) to grant and implement relief as approved by the warden, except as to grievances involving discipline, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management and subsequent reviews, grievances of an emergency nature, or grievances of reprisal that are filed directly with the warden. For grievances filed directly with the warden, the decision to approve, return, or deny the grievance shall be made by the warden; the assistant warden or deputy warden shall only be authorized to sign as acting warden in the warden’s absence, and must indicate “Acting Warden” beside his or her signature.

(4) All informal and formal grievances, except those administrative appeals filed directly with the Office of the Secretary, must be filed at the institution or facility to which the inmate is presently assigned. “Presently assigned” means the institution or facility in which the inmate is housed at the time he or she files either the informal or formal grievance. When either the informal or formal grievance complaint concerns an informal or formal grievance that occurred at another location, it shall remain the responsibility of the staff at the inmate’s present location to handle the informal or formal grievance. The final resolution of the informal or formal grievance is the

responsibility of the warden at the institution to which the inmate is presently assigned. Direct contact with outside staff may be necessary in resolving the informal or formal grievance.

(5) The response to ~~an informal grievance and~~ a formal grievance shall include the following statement, or one similar in content and intent if the grievance is denied: You may obtain further administrative review of your complaint by obtaining Form DC1-303, Request for Administrative Remedy or Appeal, completing the form, providing attachments as required, and forwarding your complaint to the ~~warden, assistant warden, deputy warden or the Bureau of Policy Management and Inmate Appeals.~~

(6) At no time will an inmate who is alleging that he was physically abused as described in Section 944.35(3), F.S., or alleging reprisal by staff, as ~~described defined~~ in Rule 33-103.002, F.A.C., be directed to submit his or her grievance to the staff person who is the subject of the complaint, nor will the grievance be referred to a staff person who is the subject of the complaint.

(7) Unless the inmate is otherwise prohibited from possessing writing ~~Writing~~ paper and writing utensils due to security concerns or housing status, such items shall be provided to those inmates who have insufficient funds in their accounts at the time the materials are requested if such are needed to prepare the grievance or grievance appeal. These supplies shall be available from the institution library, classification department classification staff, and the housing officer of any living unit or confinement unit.

(8) through (13) No change.

*Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.241 FS. History—New 10-12-89, Amended 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, 5-27-02, 1-2-03, 2-9-05, 9-4-05, 10-28-07, 5-27-12, 11-7-12, 11-24-13, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dan Johnson, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ricky D. Dixon, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 2, 2026

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.308  
RULE TITLE: Disciplinary Team, Hearing Officer Findings and Action

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to authorize and provide guidance for implementation of alternative housing.

SUMMARY: The proposed rule amendment authorizes alternative housing – a housing option the disciplinary team may impose as a sanction instead of disciplinary confinement or as a “step down” from disciplinary confinement. Alternative housing allows for inmates to be released from the housing unit to continue participation in assigned work or programs and congregate meals.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

**RULEMAKING AUTHORITY:** 944.09, 945.091, F.S.  
**LAW IMPLEMENTED:** 944.09, 945.04, 945.091, 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:** Richard Brown, Office of the General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399, (850)717-3605, FDCRuleCorrespondence@fdc.myflorida.com.

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

**33-601.308 Disciplinary Team, Hearing Officer Findings and Action.**

- (1) through (3) No Change.
- (4) If the inmate is found guilty, the disciplinary team shall

impose any one or a combination of the sanctions set forth in this rule below, and the hearing officer shall impose any one or a combination of the sanctions set forth in paragraphs (a) through (j) of this subsection below:

- (a) through (o) No Change.
- (p) Assign the inmate to alternative housing.

1. Alternative housing consists of release from the housing unit to permit continued participation in assigned work or programs and congregate meals. In all other respects, conditions and privileges in alternative housing will be provided in accordance with Rule 33-602.220, F.A.C.

2. The term of alternative housing must not exceed the maximum disciplinary confinement time permitted for the underlying violation as set forth in Rule 33-601.314, F.A.C.

3. Administrative confinement credit must be applied to all concurrent alternative housing terms. Any part of a day in confinement will be counted as a full day of confinement.

4. An inmate will not be assigned to alternative housing by the Disciplinary Team in conjunction with the loss of gain time.

5. At any time during service of a term of disciplinary confinement, an ICT member may modify the remainder of the disciplinary confinement term and assign the inmate to alternative housing or release the inmate outright from disciplinary confinement.

6. An ICT member may terminate alternative housing at any time short of service of the full term.

7. Modification of status or termination of a sanction may be based on the inmate’s conduct in disciplinary confinement and/or alternative housing; the bed space needs of the facility; the severity of the infraction for which disciplinary confinement or alternative housing was imposed and/or the ICT member’s judgment that the purposes of the initial placement have been met.

- (5) through (7) No Change.

*Rulemaking Authority 944.09, 945.091 FS. Law Implemented 20.315, 944.09, 945.04, 945.091 FS. History–New 3-12-84, Formerly 33-22.08, Amended 11-13-84, 12-30-86, 6-25-89, 7-17-90, 10-1-95, 11-25-98, 8-5-99, Formerly 33-22.008, Amended 5-21-00, 2-11-01, 1-18-21, \_\_\_\_\_.*

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Hope Gartman, Assistant Deputy Secretary of Institutions

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Ricky D. Dixon, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 27, 2026

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** October 17, 2025

**AGENCY FOR HEALTH CARE ADMINISTRATION****Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:  
59A-3.278 Rehabilitation, Psychiatric and Substance Abuse Programs

PURPOSE AND EFFECT: Rule 59A-3.278 outlines the licensing procedures related to rehabilitation, psychiatric and substance abuse programs.

SUMMARY: The Agency is proposing to amend rule 59A-3.278 to update licensure requirements, personnel qualifications and services to be provided for psychiatric and substance abuse treatment programs.

**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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 395.1055, F.S.

LAW IMPLEMENTED: 395.1055, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 9, 2026, 3:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the Open Voice conference line, 1(850)792-4898, then enter the conference room number followed by the pound sign, 114 622 344# The agenda and related materials can be found on the web at: <https://ahca.myflorida.com/health-quality-assurance/bureau-of-health-facility-regulation/rulemaking> .

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Fillyaw at (850)412-4402, or by email at: HQARuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**59A-3.278 Comprehensive Medical Rehabilitation, Psychiatric and Substance Abuse Programs.**

(1) A hospital establishing comprehensive medical rehabilitation, psychiatric, or substance abuse inpatient programs as a specialty hospital or as a physically and functionally distinct unit within a hospital must apply for licensure of comprehensive medical rehabilitation, psychiatric, or substance abuse beds by submitting a hospital licensure application as specified in subsection 59A-3.066(2). No hospital shall admit patients for the primary purpose of providing comprehensive medical rehabilitation, psychiatric, or substance abuse services unless it has obtained a valid license with the appropriate bed type, and meets the requirements of this section.

~~(2)(4)~~ All rehabilitation, psychiatric, and substance abuse programs provided by hospitals shall provide to the patient:

(a) A pre-admission assessment upon referral and an An evaluation upon admission referral;

(b) through (f) No change.

~~(3)(2)~~ When any comprehensive medical rehabilitation activity, psychiatric or substance abuse treatment is provided from outside the hospital, the hospital shall ensure by contract or other enforceable mechanism that such services meet all safety requirements and quality control measures required by the hospital source shall be available whenever needed for patient care, meet all safety requirements, abide by all pertinent rules and regulations of the hospital and medical staff, and document the quality assurance measures to be implemented.

~~(4)(3)~~ The scope of services offered, and the relationship of the comprehensive medical rehabilitation, psychiatric or substance abuse program to other hospital units, as well as all supervisory relationships within the program, shall be defined in writing. Responsibility for the performance of clinical services also shall be clearly defined. Delegation of authority within the program shall be specified in job descriptions and in organizational plans. Written policies and procedures to guide the operation of the rehabilitation program shall be developed and reviewed at least annually, revised as necessary, dated to indicate the time of last revision, and enforced.

~~(5)~~(4) There shall be a current written plan of care for each patient receiving comprehensive medical rehabilitative, psychiatric or substance abuse services. The plan shall state the diagnosis, and problem list when appropriate, pertinent to the rehabilitation or treatment process; precautions necessitated by the patient's general medical condition or other factors; the short-term and long-term goals of the treatment program; and require monthly or more frequent review of the patient's progress. The medical record and the written plan shall evidence a team approach, with participation of health care professionals ~~the professional and administrative staffs~~, the patient, and, as appropriate, the patient's family. The medical record shall document the written instructions given to the patient and the family concerning appropriate care after discharge from the hospital.

~~(6)~~(5) The comprehensive medical rehabilitation, psychiatric or substance abuse program must have notes and log records that are separately identified from the other admission and discharge records in the hospital in which it is located, and are separately retrievable.

~~(7)~~(6) A hospital providing inpatient comprehensive medical rehabilitation, psychiatric, or substance abuse programs must provide the services in one or more separate physical locations organized by a single licensed bed type. The beds assigned to the program must be physically separate from and not commingled with other licensed bed types ~~beds not included in the unit~~. Comprehensive medical rehabilitation ~~Rehabilitation~~, psychiatric or substance abuse programs and beds may be located on the same floor as other programs or beds.

(a) Facilities providing hospital inpatient psychiatric services to patients under the age of 18 must have beds and common areas designated for pediatric patients which cannot be used by adults.

(b) Facilities providing hospital inpatient substance abuse services to patients under the age of 18 must have beds and common areas designated for pediatric patients which cannot be used by adults.

(c) Facilities providing hospital inpatient psychiatric and/or substance abuse services to patients that are 18 years of age and still attending high school may be admitted to a bed in a room within the child psychiatric unit with other inpatients 14 years of age or older if determined appropriate by a physician who is providing medical direction for the unit.

~~(7)~~ In addition to meeting the requirements of subsections (1) through (6) of this section, rehabilitation programs provided by hospitals must place responsibility for the medical direction of the rehabilitation program on a physician member of the organized medical staff who, on the basis of training, experience and interest, is knowledgeable in the rehabilitation services offered. Unless otherwise permitted by law,

~~rehabilitation services shall be initiated by a physician. The written request for services shall include reference to the diagnosis or problems for which treatment is planned.~~

(8) Each hospital providing comprehensive medical rehabilitation, psychiatric, or substance abuse programs must have a protocol in place for the emergency transportation of medically necessary transfers. The protocol shall include transfer to the geographically closest hospital with the service capability, unless another prior arrangement is in place or the geographically closest hospital is at capacity.

(9) Information on specifications, operation and maintenance of all equipment used in comprehensive medical rehabilitation, psychiatric, and substance abuse programs shall be maintained. All equipment shall be operated according to manufacturer's specifications, and a preventive and corrective maintenance program on such equipment shall be conducted and recorded.

~~(10)~~(8) Psychiatric ~~In addition to meeting the requirements of subsections (1) (6) of this section, psychiatric, or substance abuse rehabilitation~~ programs provided by hospitals shall meet at least the following additional standards:

(a) The program, unit, service or similarly titled part shall have medical direction by a physician who is board-certified or board-eligible by the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry treat only those patients whose primary reason for admission was a diagnosis contained in the third edition of the American Psychiatric Association Diagnostic and Statistical Manual.

~~(b) The program, unit, service or similarly titled part shall have medical direction by an appropriately qualified practitioner, including a physician who is certified by the American Board of Psychiatry and Neurology or is eligible for examination by the Board or similar specialty board recognized by the American Osteopathic Association, a clinical psychologist, or a licensed physician with postgraduate training and experience in the diagnosis and treatment of nervous and mental disorders.~~

~~(c) The program, unit, service or similarly titled part shall furnish, through qualified personnel, psychological services, social work services, psychiatric nursing, occupational therapy, and recreational therapy, as appropriate to the needs of the patient.~~

~~(b)~~(d) The program, unit, service or similarly titled part shall have a charge nurse who is a registered professional nurse or advanced practice registered nurse qualified in psychiatric or mental health nursing to oversee the nursing operations of the unit.

(c) Providers of hospital inpatient psychiatric services must also provide outpatient services either directly or through written agreements with community outpatient mental health

programs, such as local psychiatrists, local psychologists, community mental health programs, or other local mental health outpatient programs.

(d) All facilities providing hospital inpatient psychiatric services shall have a screening program to assess the most appropriate treatment for the patient. Patients with a dual diagnosis of a psychiatric disorder and substance abuse shall be evaluated to determine the types of treatment needed, the appropriate treatment setting, and, if necessary, the appropriate sequence of treatment for the psychiatric and substance abuse disorders.

(e) As appropriate to meet the needs of the patient, hospital inpatient psychiatric services whether provided directly by the hospital or through arrangement must include emergency screening services, pharmacology, individual therapy, and referral services.

(11) Substance abuse programs provided by hospitals shall meet the following additional standards:

(a) The program, unit, service, or similarly titled part shall have medical direction by a physician certified or eligible by the American Society of Addiction Medicine, or a physician subspecialty certified or eligible in Addiction Medicine by the American Osteopathic Association.

(b) The program, unit, service or similarly titled part shall have a registered professional nurse or advanced practice registered nurse qualified in psychiatric or mental health nursing to oversee the nursing operations of the unit.

(c) Providers of hospital inpatient substance abuse services must also provide outpatient or referral services, either directly or through written agreements with community outpatient substance abuse programs, such as local psychiatrists, other physicians trained in the treatment of substance abuse disorders, local psychologists, community mental health programs, or other local substance abuse outpatient programs.

(d) Providers of hospital inpatient substance abuse services must have a screening program to assess the most appropriate treatment for the patient. Patients with a dual diagnosis of substance abuse and a psychiatric disorder shall be evaluated to determine the types of treatment needed, the appropriate treatment setting, and, if necessary, the appropriate sequence of treatment for the substance abuse and psychiatric disorders.

(e) As appropriate to meet the needs of the patient, hospital inpatient substance abuse services whether provided directly by the hospital or through arrangement must include emergency screening services, treatment planning services, pharmacology, individual therapy, and referral services.

(12)(9) Comprehensive medical rehabilitation programs provided by hospitals must include comprehensive medical rehabilitation nursing, physical therapy, and occupational therapy. In addition to required services as specified in this chapter, the following services may be provided, directly or by

contract as needed: speech pathology and audiology, social services, psychological services, and orthotic and prosthetic services. The responsibility for the medical direction of the comprehensive medical rehabilitation program must be a physician member of the organized medical staff with at least two years of experience in the medical management of inpatients requiring rehabilitation services and is knowledgeable in the comprehensive medical rehabilitation services offered. Unless otherwise permitted by law, comprehensive medical rehabilitation services shall be initiated by a physician. The written request for services shall include reference to the diagnosis or problems for which treatment is planned. Overall the medical direction required in subsection (7), overall supervision and administration of the following specialty comprehensive medical rehabilitation programs may be provided by staff with the following credentials:

(a) Physical Therapy – A qualified physical therapist who shall be a graduate of a physical therapy program approved by a nationally recognized accrediting body or have documented equivalent training or experience, and shall meet all ~~any~~ current requirements for licensure or registration under Chapter 486, F.S., and shall be currently competent in the field.

(b) Occupational Therapy – A qualified occupational therapist who shall be a graduate of an occupational therapy program approved by a nationally recognized accrediting body; or shall currently hold certification by the American Occupational Therapy Association as an Occupational Therapist, Registered; or shall have documented equivalent training or experience; and shall meet all current requirements for licensure under Chapter 468, Part III IV, F.S.

(c) Speech Pathology and Audiology – A qualified speech-language pathologist or audiologist who ~~shall hold the Certificate of Clinical Competence or a Statement of Equivalence in either speech pathology or audiology issued by the American Speech Language Hearing Association, or have documented equivalent training or experience;~~ and shall meet all current requirements for licensure under Chapter 468, Part I H, F.S.

(d) Comprehensive Medical Rehabilitation Nursing – A ~~professionally qualified licensed~~ registered nurse or advanced practice registered nurse who shall have documented training in comprehensive medical rehabilitation nursing and at least one year of rehabilitation nursing experience.

(e) No change.

(f) Comprehensive Medical Rehabilitation – A qualified physician who shall be a member of the organized professional staff and who is certified, or eligible for examination, either by the American Board of Physical Medicine and Rehabilitation or by a specialty related to comprehensive medical rehabilitation.

(10) Nothing in this section shall be construed to prevent a hospital from providing rehabilitation, psychiatric or substance

~~abuse programs to its patients. However, no hospital shall have rehabilitation, psychiatric, intensive residential treatment program, or substance abuse beds unless it has obtained a valid certificate of need as required by Section 408.031 through 408.045, F.S., and meets the requirements of this section.~~

(13) All comprehensive medical rehabilitation, psychiatric, and substance abuse programs must provide patient discharge data in accordance with section 408.061, F.S. and Chapters 59E-7 and 59B-9, F.A.C.

*Rulemaking Authority ~~395.003, 395.1055, 408.036~~ FS. Law Implemented ~~395.1055, 408.036~~ FS. History—New 9-4-95, Formerly 59A-3.229, Amended \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelli Fillyaw  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2026  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 22, 2025

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-37.004  
RULE TITLE: Admission Criteria and Procedures, Appropriateness of Placement, and Continued Residency Requirements

PURPOSE AND EFFECT: Rule 59A-37.004 outlines requirements for Do Not Resuscitate Orders (DNROs) for Adult Family Care Homes.

SUMMARY: The Agency proposes to amend this rule to delete obsolete language and update form references.

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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 429.73 F.S.

LAW IMPLEMENTED: 429.65, 429.73 F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 9, 2026, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the conference line, 1(850)792-4898, then enter the conference room number followed by the pound sign, 421 931 815#. The agenda and related materials can be found on the web at:

<https://ahca.myflorida.com/health-quality-assurance/bureau-of-health-facility-regulation/rulemaking>.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Fillyaw at (850)412-4402, or by email at: HQARuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**59A-37.004 Admission Criteria and Procedures, Appropriateness of Placement, and Continued Residency Requirements.**

(1) through (3) No change.

**(4) DO NOT RESUSCITATE ORDERS and ADVANCE DIRECTIVES:**

(a) Each adult family-care home (AFCH) must establish ~~have~~ written policies and procedures addressing residents' rights regarding advance directives and ,which delineate its position with respect to the state law and rules relative to do not resuscitate orders (DNROs). The policies shall not require ~~condition~~ treatment or admission decisions to depend on ~~upon~~ whether an ~~or not the~~ individual has executed or waived a DNRO.

(b) The AFCH's policy must include:

1. At the time of admission, providing each resident, or the resident's representative, with written information on health care advance directives pursuant to Chapter 765, F.S.

~~Information and sample forms for advance directives can be found on the Agency's website at <https://quality.healthfinder.fl.gov/report-guides/advance-directives> a copy of Form SCHS 4 2006, "Health Care Advance Directives—The Patient's Right to Decide," effective April 2006, or with a copy of some other substantially similar document which incorporates information regarding advance directives included in Chapter 765, F.S. Form SCHS 4 2006 is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or the agency's website at:~~

~~[http://ahea.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/HC\\_Advance\\_Directives/docs/adv\\_dir.pdf](http://ahea.myflorida.com/MCHQ/Health_Facility_Regulation/HC_Advance_Directives/docs/adv_dir.pdf).~~

2. At the time of admission, providing each resident, or the resident's representative, with written information about concerning the AFCH's DNRO policies, including details specified in regarding DNROs, including information concerning DH Form 1896, Florida Do Not Resuscitate Order 02/2024 Form, incorporated by reference in Rule 64J-2.018, F.A.C. This form may be obtained online at <https://www.floridahealth.gov/about-us/resources/do-not-resuscitate-order/>.

3. Documentation requirements regarding The requirement that documentation of whether or not the resident has executed a DNRO must be maintained contained in the resident's record. If a DNRO has been executed, a copy of that document must be included in made a part of the resident's record. If the AFCH does not receive a copy of the DNRO for a resident, the AFCH must document in the resident's record that it has requested a copy.

- 4. renumbered (c) No change.
- (c) renumbered (d) No change.
- (5) through (7) No change.

*Rulemaking Authority 429.73 FS. Law Implemented 429.65, 429.73, 429.85 FS. History—New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99, 1-1-04, 4-29-08, 9-16-10, Formerly 58A-14.0061, 7-1-19,\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelli Fillyaw  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2026  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 24, 2026

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
61G15-20.0018	Application for Low Income and Military Veterans Fee Waiver
61G15-20.007	Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees
61G15-20.008	Educational Requirements for Applicants without ETAC/ABET Accredited Engineering Technology Degrees

**PURPOSE AND EFFECT:** The Board proposed the amendments to update and clarify the language and application for fee waivers and educational requirements for applicants without EAC/ABET and ETAC/ABET accredited engineering technology degrees.

**SUMMARY:** The proposed amendments update and clarify the language and application for fee waivers and educational requirements for applicants without EAC/ABET and ETAC/ABET accredited engineering technology degrees.

**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: 455.213, 455.219, 471.008, 471.013 FS.

LAW IMPLEMENTED: 455.213, 455.219, 471.008, 471.013, 471.015 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail, ZRaybon@fbpe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G15-20.0018 Application for Low Income and Military Veterans Fee Waiver.**

(1) No Change.

(2) Pursuant to Section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for a low-income individual. As defined in that section, a “low income individual” is a person whose household income, before taxes, is at or below one hundred thirty percent (130%) of the federal poverty guidelines prescribed for the family’s household size by the United States Department of Health and Human Services. The ~~2026~~ ~~2022~~ federal poverty guidelines, published on January ~~15~~ ~~24~~, ~~2026~~ ~~2022~~ in ~~91~~ ~~87~~ Federal Register ~~1797~~ ~~3345~~, are hereby incorporated by reference and may be obtained from <https://www.govinfo.gov/content/pkg/FR-2026-01-15/pdf/2026-00755.pdf> <https://www.govinfo.gov/content/pkg/FR-2022-01-21/pdf/2022-01166.pdf> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-19603-14604>.

(a) Application for waiver of the initial licensing fee by a low-income individual shall be made on Form FBPE/LI 001, Rev. ~~04/26~~ ~~04/18~~, Application for Low Income Waiver of Initial ~~Licensure~~ ~~Licensing~~ Fee, which is incorporated by reference herein and may be obtained from <https://fbpe.org/licensure/other forms/low income waiver> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-19604-09492>.

(b) No Change.

*Rulemaking Authority 455.213(13), 455.219(7), 471.008 FS. Law Implemented 455.213(13), 455.219(7) FS. History—New 6-20-18, Amended 8-15-22., \_\_\_\_\_.*

**61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees.**

(1) through (5) No Change.

~~(6) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.~~

*Rulemaking Authority 471.008, 471.013 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, 3-13-05, 5-1-05, 6-11-06, 1-29-07, 4-9-07, 1-31-08, 10-15-09, 11-27-11, 2-4-13, 3-17-16, 4-19-18, 12-29-19, 5-27-20, 1-18-23, 5-26-25, 7-27-25, \_\_\_\_\_.*

**61G15-20.008 Educational Requirements for Applicants without ETAC/ABET Accredited Engineering Technology Degrees.**

(1) No Change.

(2) Credit By Examination and College Courses.

(a) Deficiencies in Mathematics and Basic Sciences and/or General Education required by paragraphs (1)(a) and (1)(b) above, may be satisfied by passage of an examination identified on the “Articulation Coordinating Committee Credit-By-Examination Equivalencies” (Rev ~~09/2025~~ ~~09/2022~~) list incorporated by reference in State Board of Education paragraph 6A-10.024 ~~(7)(a)(8)(a)~~, F.A.C., and which may be obtained at

<https://www.flrules.org/Gateway/reference.asp?No=Ref-19600-15006>.

1. through 3. No Change.

(b) No Change.

(3) through (5) No Change.

~~(6) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.~~

*Rulemaking Authority 471.008, 471.013(4) FS. Law Implemented 471.013(4) FS. History—New 12-29-19, Amended 5-27-20, 1-18-23, 5-26-25, 7-27-25, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 30, 2026

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

NONE

## Section IV Emergency Rules

NOTE: The full text of Emergency Rules that are currently in effect can be viewed by going to <https://flrules.org/Notice/emergencyRules.asp>.

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

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on May 7, 2026, the Southwest Florida Water Management District has denied a petition for variance.

Petitioner's Name: Mandarin Grove Homeowners Association, Inc.

Date Petition Filed: February 6, 2026

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: February 10, 2026

General Basis for Agency Decision: Petitioner failed to respond to District requests for additional information. Petitioner has not demonstrated that a variance or waiver from District rules is appropriate.

A copy of the Order or additional information may be obtained by contacting:

Camille Mourant, 7601 US Highway 301, Tampa, Florida 33637, 1(813)438-4906, [water.variances@watermatters.org](mailto:water.variances@watermatters.org).

Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (S101664)

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on May 7, 2026, the Southwest Florida Water Management District has denied a petition for variance.

Petitioner's Name: Silverstone Homeowners Association, Inc.

Date Petition Filed: February 6, 2026

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: February 10, 2026

General Basis for Agency Decision: Petitioner failed to respond to District requests for additional information. Petitioner has not demonstrated that a variance or waiver from District rules is appropriate.

A copy of the Order or additional information may be obtained by contacting:

Camille Mourant, 7601 US Highway 301, Tampa, Florida 33637, 1(813)438-4906, [water.variances@watermatters.org](mailto:water.variances@watermatters.org).

Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (S101668)

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-21.641 Phase III: Extreme Water Shortage

NOTICE IS HEREBY GIVEN that on May 07, 2026, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: The Heights Community Association, Inc.

Rule No.: 40D-21.641

Nature of the rule for which variance or waiver is sought: Phase III: Extreme Water Shortage

The Petition has been assigned tracking No. 26-4437.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Camille Mourant, 7601 US Highway 301, Tampa, Florida 33637, (813)438-4906, [water.variances@watermatters.org](mailto:water.variances@watermatters.org). Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (S101850)

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 08, 2026, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Miami Soccer Sportservice LLC. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication

of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 08, 2026, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Miami Soccer Sportservice LLC. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 08, 2026, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from BSREP III Fort Lauderdale TRS LLC located in Fort Lauderdale. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication

of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On April 24, 2026 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code, 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 Churrasco Bar & Grill LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 52/81 on April 27, 2026. The Order for this Petition was signed and approved on May 08, 2026. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

## RULE NO.: RULE TITLE:

## 61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On April 24, 2026 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code, 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 Warcast LLC located in Kissimmee. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 52/81 on April 27, 2026. The Order for this Petition was signed and approved on May 08, 2026. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

## RULE NO.: RULE TITLE:

## 61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On April 28, 2026 for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Miami Soccer Sportservice LLC. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved

plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 52/83 on April 29, 2026. The Order for this Petition was signed and approved on May 08, 2026, after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

## RULE NO.: RULE TITLE:

## 61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On April 29, 2026 for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Miami Soccer Sportservice LLC. located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 52/84 on April 30, 2026. The Order for this Petition was signed and approved on May 08, 2026, After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be

protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

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DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-11.002 Examination for Licensure

NOTICE IS HEREBY GIVEN that on April 09, 2026, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Andrew Katz. Petitioner seeks a variance or waiver of Rule 64B18-11.002, F.A.C., which states that the Board adopts the national examinations administered under the auspices of the National Board of Podiatric Medical Examiners, including Part I, Part II and Part III, as the examination for licensure in Florida, provided that the applicant for licensure has taken and passed all parts of the examination. Applicants for licensure who successfully took and passed Part I and II prior to June, 1987, who hold an active licensure to practice, and who have actively practiced in another state for at least the last 5 years immediately preceding licensure, are exempt from the requirement to take and pass Part III of the examination. Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashleigh Irving, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258, at (850)245-4292, or by email: Ashleigh.Irving@flhealth.gov.

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DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.016 Staff Functions and Qualifications

NOTICE IS HEREBY GIVEN that on May 05, 2026, the Department of Children and Families, received a petition for variance of paragraph 65C-15.016(2)(b), Florida Administrative Code, from Avidity on behalf of Lyna Pierre. The rule governs qualifications for supervisors of child-placing agencies.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

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

DEPARTMENT OF EDUCATION

The Charter School Appeal Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 23, 2026, 10:00 a.m.

PLACE: Dial-In Number: 1(888)585-9008 and Conference ID: 557-224-161

GENERAL SUBJECT MATTER TO BE CONSIDERED: To vote on the recommendation from the Innovation Preparatory Charter vs. The School Board of Broward County appeal.

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

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DEPARTMENT OF EDUCATION

Division of Blind Services

The Division of Blind Services/Bureau of Business Enterprise announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2026, 4:00 p.m.

PLACE: Via Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/253186971964216?p=WnM4ttHZH7WzViiKlv>

Meeting ID: 253 186 971 964 216

Passcode: f2QH3kR3

Dial in by phone

+1(850)583-5063,,177572292# United States, Tallahassee

Phone conference ID: 177 572 292#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on how to incorporate the State Committee of Vendors.

A copy of the agenda may be obtained by contacting: Mary Ellen Harding

[maryellen.harding@dbs.fldoe.org](mailto:maryellen.harding@dbs.fldoe.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mary Ellen Harding

[maryellen.harding@dbs.fldoe.org](mailto:maryellen.harding@dbs.fldoe.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Mary Ellen Harding  
[maryellen.harding@dbs.fldoe.org](mailto:maryellen.harding@dbs.fldoe.org)

## DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

The Florida School for the Deaf and the Blind (FSDB) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 21, 2026, 8:30 a.m.

PLACE: FSDB Campus, 207 San Marco Ave., St. Augustine, FL 32084, Moore Hall's Center for Learning and Development (CLD). Moore Hall is located on the corner of San Marco Avenue and Macaris Street.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Trustees will consider all agenda items, including any new or unfinished business presented during the meeting.

A copy of the agenda may be obtained by contacting: Cindy Brueckner, Executive Assistant to the President and Board of Trustees, at (904)827-2210 or by email at [bruecknerc@fsdbk12.org](mailto:bruecknerc@fsdbk12.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Brueckner, Executive Assistant to the President and Board of Trustees, at (904)827-2210 or by email at [bruecknerc@fsdbk12.org](mailto:bruecknerc@fsdbk12.org). Please note that FSDB provides American Sign Language interpreters at all public meetings; however, if you require additional support to access these meetings, please contact Ms. Brueckner at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cindy Brueckner, Executive Assistant to the President and Board of Trustees, at (904)827-2210 or by email at [bruecknerc@fsdbk12.org](mailto:bruecknerc@fsdbk12.org).

## DEPARTMENT OF CITRUS

The Florida Department of Citrus announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2026, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830.

If you are unable to attend in-person, you may access the meeting virtually by using the Microsoft Teams link or call-in number listed below:

Click here to join the meeting

Meeting ID: 245 145 021 630 529

Passcode: NB6eb6Mk

Audio Only Access: (904)539-9759 / Phone Conference ID:452 468 470#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, consumer education and engagement programs, program evaluation measurements, licensing, issues pertaining to Chapter 601, F.S., rulemaking; and any other matter addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Heather Anderson at [handerson@citrus.myflorida.com](mailto:handerson@citrus.myflorida.com) or 1(863)537-3950. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring reasonable accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Heather Anderson at [handerson@citrus.myflorida.com](mailto:handerson@citrus.myflorida.com) or (863)537-3950. 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.

## DEPARTMENT OF VETERANS' AFFAIRS

The Florida Veterans Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 21, 2026, 10:00 a.m.

PLACE: Microsoft Teams Call:

Link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MjRhNjA2YjctODcwZi00YjliTk0Y2YtM2MzNTAxMjk2YjEx%40thread.v2/0?context=%7b%22Tid%22%3a%226f0c11c8-a34e-40af-b4c5-2e4d08cef248%22%2c%22Oid%22%3a%22b83b573f-51c7-4c52-af43-707329f9cbc2%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjRhNjA2YjctODcwZi00YjliTk0Y2YtM2MzNTAxMjk2YjEx%40thread.v2/0?context=%7b%22Tid%22%3a%226f0c11c8-a34e-40af-b4c5-2e4d08cef248%22%2c%22Oid%22%3a%22b83b573f-51c7-4c52-af43-707329f9cbc2%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Membership Committee Meeting. The upcoming date for our continued efforts in supporting and honoring our veterans.

A copy of the agenda may be obtained by contacting: Raymond Miller, Administrative Officer, (850)782-4305

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: Raymond Miller, Administrative Officer, (850)782-4305. 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: Raymond Miller, Administrative Officer, (850)782-4305

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#### DEPARTMENT OF MANAGEMENT SERVICES

##### Division of Purchasing

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

DATE AND TIME: May 12, 2026, 12:00 noon

PLACE: Conference Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposal opening for Contact Center Services RFP No. 26-83111500-RFP

A copy of the agenda may be obtained by contacting: [evan.mclaughlin@dms.fl.gov](mailto:evan.mclaughlin@dms.fl.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: [adacoordinator@dms.fl.gov](mailto:adacoordinator@dms.fl.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: [evan.mclaughlin@dms.fl.gov](mailto:evan.mclaughlin@dms.fl.gov)

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#### DEPARTMENT OF HEALTH

##### Board of Clinical Laboratory Personnel

The Florida Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

DATE AND TIME: June 5th, 2026, 9:00 a.m.

PLACE: Sheraton Orlando North: 600 North Lake Destiny Road, Maitland, Florida 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board matters, including discussions and actions related to licensure applications, rules, disciplinary issues and other related business.

A copy of the agenda may be obtained by contacting: <https://floridasclinicallabs.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 Florida Board of Clinical Laboratory Personnel by telephone at (850)245-4355 or via email at [MQA.ClinicalLabs@flhealth.gov](mailto:MQA.ClinicalLabs@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing,

he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: The Florida Board of Clinical Laboratory Personnel by telephone at (850)245-4355 or via email at [MQA.ClinicalLabs@flhealth.gov](mailto:MQA.ClinicalLabs@flhealth.gov).

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#### FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 17, 2026, 2:00 p.m., Eastern Time

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, Tallahassee, Florida 32301. The workshop will also be available by webinar. The registration information for the webinar is posted to the following website:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2026/2026-201>

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2026/2026-202>

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2026/2026-203>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop will continue the discussion regarding RFA 2026-201 Housing Credit Financing For Affordable Housing Developments Located In Small and Medium Counties, RFA 2026-202 Housing Credit Financing For Affordable Housing Developments Located In Broward, Duval, Hillsborough, Lee, Orange, Palm Beach, Pinellas and Polk Counties, and RFA 2026-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County, with the opportunity for the public to provide comments and suggestions.

A copy of the agenda may be obtained by contacting: Bryan 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 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.

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#### SELECTFLORIDA

The SelectFlorida Board of Directors announces a workshop to which all persons are invited.

DATE AND TIME: May 28, 2026, 3:00 p.m.

PLACE: Teams Webinar. Please use the link to register: <https://events.gcc.teams.microsoft.com/event/5d210db0-9458-4024-bf91-30df125b99ca@931da019-f64e-4908-b0f6-92f46f78c512>

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Fiscal year 26/27 SelectFlorida budget

A copy of the agenda may be obtained by contacting: Olivia Cerio at (850)566-8358.

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: Olivia Cerio at (850)566-8358. 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: Olivia Cerio at (850)566-8358. To submit a public comment, please email Olivia Cerio at [olivia.cerio@selectflorida.org](mailto:olivia.cerio@selectflorida.org).

PASCO-PINELLAS AREA AGENCY ON AGING

The Area Agency on Aging of Pasco-Pinellas announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2026, 9:30 a.m.

PLACE: 9549 Koger Blvd., St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Items related to Area Agency on Aging of Pasco Pinellas Inc business and Board of Directors Oversight

A copy of the agenda may be obtained by contacting: Melissa Lawrence, Executive Assistant, (727)570-9696 ext. 232

For more information, you may contact: Melissa Lawrence, Executive Assistant, (727)570-9696 ext. 232

FLORIDA DEVELOPMENT FINANCE CORPORATION

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 20, 2026, 2:00 p.m., EST

PLACE: Florida Development Finance Corporation, 156 Tuskawilla Road, Suite 2340, Winter Springs, FL 32708

- OR -

Via Zoom:

<https://us06web.zoom.us/j/82983254683?pwd=MbBHxIWN3N8l5pkkFqyAvxioGq7NKV.1>

Meeting ID: 829 8325 4683

Passcode: 348534

- OR -

Via Telephone:

Dial-In Number: 1(646)558-8656

Meeting ID: 829 8325 4683

Passcode: 348534

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the following:

- Minutes: 4/8/26
- Bond Resolution No. 26-06 – Waste Pro USA, Inc.
- Bond Resolution No. 26-07 – Coastal Waste & Recycling, Inc.
- Resolution No. 26-08 – Avrio CleanFund Management LLC as a C-PACE Provider
- Executive Director Report

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, Sr. Director - Administration, (407)712-6351

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Jennifer Jenkins, Sr. Director - Administration, (407)712-6351. 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: Jennifer Jenkins, Sr. Director - Administration, (407)712-6351.

FLORIDA LIFE & HEALTH INSURANCE GUARANTY ASSOCIATION

The Florida Life & Health Insurance Guaranty Association announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2026, 1:30 p.m.

PLACE: Virtual Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General matters of the Board

A copy of the agenda may be obtained by contacting: Brad Taman, (850)523-1870

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: Brad Taman, (850)523-1870. 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).

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

**DEPARTMENT OF REVENUE**

NOTICE IS HEREBY GIVEN that the Department of Revenue (hereinafter “Department”) has received the petition for declaratory statement from Mathew Randall Layfield (hereinafter “Petitioner”) on May 5, 2026. The petition seeks the agency's opinion as to the applicability of “Regarding the Constitutional Validity of Compelling Private Business Owners to Act as Unpaid Collection Agents of the State for Sales and Use Tax Purposes, and the Constitutional Protections Applicable to Such Compelled Service Under the Fifth, Ninth, and Fourteenth Amendments to the United States Constitution,” as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ayonna Whitaker, Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6668, Ayonna.Whitaker@floridarevenue.com, (850)617-8347. Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Department. The motion shall be filed with the Agency Clerk at the above address within twenty-one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco received a petition for declaratory statement from Gary Stubbs, The Daiquiri Trap dba Wine Blend Co, assigned DS #2026-021. The petition seeks the agency’s opinion as to a proposed business operation involving the preparation and sale of wine-based beverages, however no statutory provision, rule or order is cited.

A copy of the petition for declaratory statement may be obtained by contacting: jaxon.lear@myfloridalicense.com Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-2202 Please refer all comments to: Jaxon Lear, Office of the General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, Jaxon.Lear@myfloridalicense.com, (850)717-1922;

Persons who substantial interests may be affected by the requested declaratory statement may file a motion to intervene or a petition for administrative hearing within 21 days from the date of publication of this notice. All motions or petitions must be filed with: Agency Clerk’s Office, Department of Business and Professional Regulation 2601 Blair Stone Road, Tallahassee, FL 32399-2202, AGC.Filing@myfloridalicense.com

## Section VIII Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

## Section IX Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

## Section XI Notices Regarding Bids, Proposals and Purchasing

**DEPARTMENT OF FINANCIAL SERVICES**  
Division of Insurance Agent and Agency Services  
2526-01 RFP AA - License Examination Development and Administration Services  
The Department of Financial Services (Department), an agency of the state of Florida (State), is issuing an Request for Proposals (RFP) to establish a contract for the development and

administration of insurance license examination and other services related to the licensing process for the Division of Insurance Agents and Agencies.

The solicitation will be administered through the Vendor Information Portal (VIP). The submitted Response must comply with the terms and conditions stated in the RFP.

Point of Contact/Procurement Officer: All questions must be in writing and should reference the above solicitation number and title. Submit all questions to Procurement Officer, Rebecca D. Hale, via email at [DFSPurchasing@myfloridacfo.com](mailto:DFSPurchasing@myfloridacfo.com).

Response Due Date: June 2, 2026 by 3:30 p.m., Eastern Time, to the Procurement Officer identified, at the following address:

Department of Financial Services  
Office of Purchasing and Contractual Services  
200 East Gaines Street, Larson Building, Suite 101  
Tallahassee, FL 32399

The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to any public meeting identified within the solicitation. The Department will post notice of any changes regarding this solicitation or additional meetings within the VIP in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise the notice in the Florida Administrative Register (FAR). To access the VIP go to the following web address: MyFloridaMarket Place Vendor Information Portal.

ADA Requirements: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in any meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Procurement Officer – see 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).

**CHARLES PERRY PARTNERS, INC.**

Advertisement of Prequalification

Charles Perry Partners, Inc. has been selected to provide Construction Management services for the City of Plant City - Ellis-Methvin Park Pedestrian Bridge project at 2601 East Cherry Street, Plant City, FL.

The project consists of the construction of a new pedestrian bridge over an existing pond, along with associated site and concrete improvements adjacent to the tournament management facility building.

Charles Perry Partners, Inc. is currently accepting subcontractor/vendor prequalification applications for the following scopes of work:

CONCRETE, STRUCTURAL PRECAST CONCRETE, STRUCTURAL STEEL, PAINTING, ELECTRICAL, SITEWORK

All parties interested in bidding on this project must be prequalified for their bid to be considered. To receive a link to

start the prequalification process, send an email to [prequalification@cpqi.com](mailto:prequalification@cpqi.com).

Bid documents are now available.

All interested parties are encouraged to attend the Pre-Bid Conference on Friday, May 29, 2026, at 10:00 a.m. at 2601 East Cherry Street, Plant City, FL.

To RSVP, please send an email to [bids@cpqi.com](mailto:bids@cpqi.com).

Sealed bids are due no later than 2:00 p.m., Thursday, June 18 and may be submitted electronically through BuildingConnected.

Construction is tentatively scheduled to start in Fall 2026.

CPPI is committed to Small Business and Vendor Diversity and encourages participation by such. CPPI reserves the right to reject any bid if considered to be in the best interest of the project.

Please contact Matt Pusateri with any questions at [matt.pusateri@cpqi.com](mailto:matt.pusateri@cpqi.com) or (352)672-4215.

**Section XII  
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraphs 120.55(1)(b)7. – 8., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, May 4, 2026, and 3:00 p.m., Friday, May 8, 2026.

Rule No.	File Date	Effective Date
5B-1.005	5/5/2026	5/25/2026
61C-5.001	5/5/2026	5/25/2026
64-4.300	5/8/2026	5/28/2026
64-4.301	5/8/2026	5/28/2026
64-4.302	5/8/2026	5/28/2026
64-4.304	5/8/2026	5/28/2026
64-4.305	5/8/2026	5/28/2026
64-4.308	5/8/2026	5/28/2026
64-4.310	5/8/2026	5/28/2026
64-4.311	5/8/2026	5/28/2026
64-4.312	5/8/2026	5/28/2026
64-4.313	5/8/2026	5/28/2026
64-4.314	5/8/2026	5/28/2026
68B-37.003	5/7/2026	5/27/2026
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		

Rule No.	File Date	Effective Date
14-10.0043	4/11/2025	**/**/****
62-42.300	12/31/2025	**/**/****
65C-9.004	3/31/2022	**/**/****
69C-2.004	11/5/2025	**/**/****
69C-2.005	11/5/2025	**/**/****
69C-2.016	11/5/2025	**/**/****
69C-2.022	11/5/2025	**/**/****
69C-2.026	11/5/2025	**/**/****
69C-2.034	11/5/2025	**/**/****
69C-2.035	11/5/2025	**/**/****

**DEPARTMENT OF TRANSPORTATION**

Proposed Airport Site Approval Order for JHACH Wesley Chapel Heliport

**FLORIDA DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

JHACH Wesley Chapel Heliport, a private airport, in Pasco County, at Latitude 28° 16' 27.25" and Longitude 82° 19' 20.70", to be owned and operated by Johns Hopkins All Children's Hospital, 501 6th Av S Saint Petersburg, FL 33701.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting David Roberts, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; 850/414-4514; aviation.fdot@dot.state.fl.us. Website:

<http://www.fdot.gov/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida

Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Certificate of Need

**DECISIONS ON EXPEDITED APPLICATIONS**

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

County: Seminole District 7-4

CON #10967 Decision Date: 5/7/2026 Decision: Approved

Applicant/Facility/Project: Flowers Nursing and Rehab Center, LLC

Project Description: Transfer CON #10810 from SC Nursing and Rehab Center, LLC to the applicant to establish a 171-bed community nursing home

County: Orange District 7-2

CON #10968 Decision Date: 5/8/2026 Decision: Approved

Applicant/Facility/Project: Orange County SNF, LLC

Project Description: Relocation of 59 community nursing home beds to a new facility within a 30-mile radius

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.

**TOWN OF SEWALL'S POINT**

Notice of Proposed Ordinance Governing a Telecommunications Company Placing or Maintaining Telecommunications Facilities in its Roads or Rights-of-Way  
The Town of Sewall's Point, Florida, gives notice of proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

**FIRST READING TO BE HELD:**

DATE AND TIME: May 12, 2026, 6:00 p.m.

PLACE: 1 South Sewalls Point Road, Sewall's Point, FL 34996

**FINAL READING TO BE HELD:**

DATE AND TIME: May 26, 2026, 6:00 p.m.

PLACE: 1 South Sewalls Point Road, Sewall's Point, FL 34996

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Proposed Ordinance No. 478-26: An ordinance of the Town of Sewall's Point, Florida, pertaining to Chapter 38, streets,

sidewalks and other public places, amending Article II, Streets, by adding thereto a new section 38-33 regarding permits and a new section 38-34 regarding open-cutting; providing for applicability, enforcement, and penalties; providing for severability, repeal of laws in conflict, codification, and an effective date.

A copy of the proposed ordinance can be obtained by contacting: Town of Sewall's Point, 1 South Sewalls Point Road, Sewall's Point, FL 34996.

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**WESTON P&C INSURANCE COMPANY  
IMPORTANT NOTICE – CLAIMS BAR DATE**

A COURT-ORDERED CLAIMS BAR DATE HAS BEEN ESTABLISHED FOR WESTON PROPERTY AND CASUALTY INSURANCE COMPANY (“WESTON”) BAR DATE: AUGUST 8, 2026

If you do not have a claim against Weston, or if you have already filed a liquidated and non-contingent Proof of Claim (“POC”) with Weston’s Special Deputy Receiver (“SDR”), you may disregard this notice.

On August 8, 2022, the Second Judicial Circuit Court of Leon County, Florida (“the Court”) placed Weston into liquidation (case number 2022 CA 001378). The Court appointed the Department of Financial Services of the State of Florida as Receiver, and Cantilo & Bennett, L.L.P. as SDR for Weston. All claims against Weston must be submitted on the approved POC form and will be treated as claims against the Weston liquidation estate.

The Court has established August 8, 2026, as the Claims Bar Date, pursuant to Section 631.181(5), Florida Statutes. POCs must be postmarked or delivered to the SDR by this date. Claims submitted after August 8, 2026, will be denied and forever barred.

By the Claims Bar Date, all claims must also be non-contingent and liquidated to be eligible to share in any distribution of estate assets. POCs that remain contingent or unliquidated after August 8, 2026, will be barred from participating in distributions.

The Court previously established a Claims Filing Deadline of August 8, 2023. POCs filed after August 8, 2023, but on or before August 8, 2026, will be treated as late-filed claims. Late-filed claims are unlikely to receive any distribution payments, except as may be permitted under Section 631.181, Florida Statutes. Claims submitted after August 8, 2026, will not be accepted as filed claims in the estate.

POC forms and submission instructions are available at <https://weston-ins-liquidation.com>, where you can also find additional information about the receivership, important receivership documents, and FAQs. If you have questions about this notice or would like to request a mailed copy of the POC form, please contact the SDR by calling (512)478-6000 or 800-579-6817 toll free.

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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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