

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:

2B-1.003 Minor Violations

PURPOSE AND EFFECT: The proposed rule amendment will address additional violations that can be considered minor violations for expedited enforcement.

SUMMARY: Changes to the rule regarding minor violations.

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 Commission meeting, the Commission 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 Commission 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: 106.26(12), FS.

LAW IMPLEMENTED: 106.26(12), 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: Tim Vaccaro, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.003 Minor Violations.

(1) No change.

(2) The following violations are minor violations so long as the requirements of subsection (1) of this rule, have been met:

(a) through (d) No change.

(e) Section 106.071(2), F.S., failure of a person making an independent expenditure for a political advertisement, other than a text message or a telephone call, to mark prominently the political advertisement with the required disclaimer. A fine of \$250 shall be imposed for each violation.

(f) through (q) No change.

(r) Section 106.1439(1), F.S., failure of a person making an expenditure for an electioneering communication, other than a text message or a telephone call, to mark prominently the electioneering communication with the required disclaimer. A fine of \$250 shall be imposed for each violation.

(s) Section 106.147(1)(a), F.S., failure of a person or organization making an expenditure for any text message or telephone call, supporting or opposing a candidate, an elected official, or a ballot measure, or making an expenditure for any electioneering text message or telephone call, to mark the text message with, or include in the telephone call, the required disclaimer. A fine of \$200 shall be imposed for each violation.

(t) Section 106.147(1)(b), F.S., failure of a candidate making an expenditure for a text message or telephone call to mark the text message with, or include in the telephone call, the required disclaimer. A fine of \$250 shall be imposed for each violation.

(u) Section 106.147(3), F.S., failure of a person making an expenditure for any text message or telephone call, not conducted by independent expenditure, which expressly advocates for or against a candidate or ballot measure to obtain prior written authorization by the candidate or sponsor of the ballot measure that the text message or telephone call supports. A fine of \$250 shall be imposed for each violation.

(v) Section 106.147(3), F.S., failure of a candidate or sponsor of a ballot measure supported by a text message or telephone call under this subsection to file a copy of the written authorization with the qualifying officer before the text messages or telephone calls commence. A fine of \$250 shall be imposed for each violation.

(s) renumbered to (w) No change.

(3) through (4) No change.

Rulemaking Authority 106.26(12) FS. Law Implemented 106.26(12) FS. History—New 1-11-99, Amended 2-14-00, 1-2-02, 4-24-05, 8-13-14, 8-22-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 29, 2021

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: **RULE TITLE:**

64B8-3.004 Inactive, Delinquent and Retired Status Fees

PURPOSE AND EFFECT: The Board proposed the rule amendment to reduce the inactive status license and delinquent status license fees.

SUMMARY: Update rule language regarding inactive and delinquent license fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.036, 458.309 FS

LAW IMPLEMENTED: 456.036, 458.3145, 458.316, 458.3165, 458.345 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: : Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-3.004 Inactive, Delinquent and Retired Status Fees.

(1) The fees for individuals holding a medical license, a temporary certificate to practice in areas of critical need, or a limited license shall be:

(a) The fee for an inactive status license shall be \$3560.00.

(b) No change.

(c) The fee for delinquent status as set forth in Section 456.036(7), F.S., shall be \$3560.00.

(d) through (f) No change.

(2) No change.

Rulemaking Authority 456.036, 458.309 FS. Law Implemented 456.036, 458.3145, 458.316, 458.3165, 458.345 FS. History—New 2-13-95, Amended 10-10-95, 12-18-95, Formerly 59R-3.004, Amended 8-11-98, 11-20-01, 3-25-02, 11-10-02, 4-25-06, 4-9-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rules/Legislative Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 29, 2021

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: **RULE TITLE:**

64B8-9.009 Standard of Care for Office Surgery

PURPOSE AND EFFECT: The Board proposed the rule amendment to update the language to require renewal of transfer agreements every five years and the agreement must include an effective date.

SUMMARY: Update rule language regarding transfer agreements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: