

# State of Florida



**Department of Financial Services  
Tallahassee, Florida**

I, the undersigned, Chief Financial Officer of the State of Florida, agency head of the Department of Financial Services pursuant to section 20.121(1), Florida Statutes, and the Agency General Counsel, do hereby certify as follows:

- a. that pursuant to s. 120.74(1)(d)2., F.S., we reviewed and certified the agency's regulatory plan submitted on the date below; and
- b. that the agency regularly reviews all its rules to determine if the rules remain consistent with the agency's rulemaking authority and laws implemented, the most recent comprehensive review period having been March 28, 2014, through February 1, 2015.

DATED this 1st day of October, 2018.

  
Chasity H. O'Steen, General Counsel

IN TESTIMONY WHEREOF, I hereto  
subscribe my name, and affix the Seal of  
my Office, at Tallahassee, Florida, the day  
and year first above written.



Chief Financial Officer

**DEPARTMENT OF FINANCIAL SERVICES' 2018 – 2019 AGENCY  
REGULATORY PLAN PURSUANT TO SECTION 120.74(1), F.S.**

I. Pursuant to s. 120.74(1)(a), Florida Statutes (F.S.), the following is a listing of each law enacted or amended during the period of 7/1/17– 6/30/18 that created or modified the duties or authority of the agency, and agency action required pursuant to the law enactment or amendment.

Bill No.; Subject; and Laws of Florida Chapter No.	Statute(s)	Duties or Authority	Rule Number	F.A.R. Citations; or Date Rule Expected to be Published
CS/HB 29, ss. 16-30, 41-48; Military and Veterans Affairs; Chapter (Ch.) 2018-7, Laws of Florida (L.O.F.)	497.140; 497.141; 497.281; 497.368; 497.369; 497.370; 497.371; 497.373; 497.374; 497.375; 497.393 (created); 497.453; 497.466; 497.554; 497.602; 626.171; 626.732; 626.7851; 626.8311; 626.8417; 626.927; 633.414; 633.444; 683.147 (created); 1002.37; 1003.42; 1012.55; 1012.56; and 1012.59	<p><i>Funeral, Cemetery, and Consumer Services-Related</i> The bill provides:</p> <ul style="list-style-type: none"> <li>a waiver of initial licensure fees, provisional licensing fees, and temporary licensing fees, where applicable, including the \$5 per license special unlicensed activity fee paid with each license, for members of the U.S. Armed Forces, their spouses, and honorably discharged veterans (within 24 months of discharge) for licensure as: Embalmer, including Temporary Embalmer, Embalmer Intern, and Embalmer Apprentice; Funeral Director, including Temporary Funeral Director and Funeral Director Intern; Preneed Sales (if licensed as an individual), including Preneed Sales Agent; Brokers of Burial Rights; Direct Disposer; and Monument Establishment Sales Agent; and</li> <li>recognition of applicable military-issued credentials for purposes of licensure as an embalmer, funeral director, or direct disposer.</li> </ul> <p><i>Insurance-Related</i> The bill provides:</p> <ul style="list-style-type: none"> <li>an expansion of the waiver of application fees for insurance profession licenses. Currently the waiver applies to members of the U.S. Armed Forces, their spouses, and veterans who have retired within 24 months before application. The bill replaces the term “retired” with the term “separated,” which allows veterans who have less than 20 years of military service to receive the allowance; and</li> <li>for the elimination of pre-licensure course requirements for members and honorably discharged veterans of the U.S. Armed Forces, and their spouses, if the applicant is subject to a licensing exam.</li> </ul> <p><i>State Fire Marshal-Related</i> The bill provides:</p> <ul style="list-style-type: none"> <li>that the DFS may extend the four-year period in which a holder of a Firefighter Certificate of Compliance must meet specified conditions to retain the certificate. The certificate</li> </ul>	Portions of the bill waiving application and renewal fees require the Department of Financial Services (the DFS) to make amendments to numerous existing rules of the Division of Funeral, Cemetery, and Consumer Services found in 69K, Florida Administrative Code (FAC), as they require applicants to remit application fees as a precondition to processing an application for licensure, or require licensees to remit nonrefundable renewal fees to maintain licensure. Also, rule 69K-1.001, FAC, will be affected because its application and renewal forms will need to be updated to implement the waiver of application and renewal fees. Portions of the bill waiving prelicensure coursework and credential requirements require additional amendments to the rules, which currently require applicants to submit proof of coursework and credentials as a precondition to processing the application for licensure.  Rule Chapter 69B-227, FAC, will need to be updated to	Related rulemaking listed on Attachment A.

		<p>holder receiving the extension of time must be a member of the U.S. Armed Forces or an honorably discharged veteran or the spouse of a such a member or veteran. The extension is limited to 12 months from discharge and is available if the length of service did not exceed three years and the licensee or permit holder is within six years of the date of issue or reissue; and</p> <ul style="list-style-type: none"> <li>a waiver of all living and incidental expenses associated with the Florida State Fire College for all active duty military personnel, including their spouses or surviving spouses, and honorably discharged veterans, including their spouses.</li> </ul>	implement the waiver of prelicensure coursework and credential requirements.	
CS/CS/SB 376, s. 1; Workers' Compensation Benefits for First Responders; Ch. 2018-124, L.O.F.	112.1815(5); and 112.1815(6)	<p>The bill revises the standards for determining compensability of employment-related post-traumatic stress disorder (PTSD) under workers' compensation insurance for first responders, which includes volunteers or employees engaged as law enforcement officers, firefighters, emergency medical technicians, and paramedics. The bill allows first responders that meet certain conditions to access indemnity and medical benefits for PTSD without an accompanying physical injury.</p> <p>The bill creates an exception to current law to authorize the compensation of indemnity benefits for PTSD, if the first responder:</p> <ul style="list-style-type: none"> <li>has PTSD that resulted from the course and scope of employment; and</li> <li>is examined and diagnosed with PTSD by an authorized treating psychiatrist of the employer or carrier due to the first responder experiencing one of the following qualifying events relating to minors or others: <ul style="list-style-type: none"> <li>seeing for oneself a deceased minor;</li> <li>witnessing directly the death of a minor;</li> <li>witnessing directly the injury to a minor who subsequently died prior to, or upon arrival at a hospital emergency department, participating in the physical treatment of, or manually transporting an injured minor who subsequently died before or upon arrival at a hospital emergency department;</li> <li>seeing for oneself a decedent who died due to grievous bodily harm of a nature that shocks the conscience;</li> <li>witnessing directly a death, including suicide, due to grievous bodily harm, or homicide, including murder, mass killings, manslaughter, self-defense, misadventure, and negligence;</li> <li>witnessing directly an injury that results in death, if the person suffered grievous bodily harm that shocks the conscience; or</li> <li>participating in the physical treatment of an injury, including attempted suicide, or manually transporting an injured person</li> </ul> </li> </ul>	<p>New rule 69L-3.009, FAC, will need to be created for the DFS to by rule specify injuries qualifying as grievous bodily harm of a nature that shocks the conscience for the purposes of establishing for first responders that posttraumatic stress disorder is an occupational disease compensable by workers' compensation benefits.</p> <p>See next entry under CS/SB 394 as to rulemaking to provide training for career and volunteer firefighters related to mental health risks (and cancer) within the fire service.</p>	Related rulemaking listed on Attachment A.

		<p>who suffered grievous bodily harm, if the injured person subsequently died prior to or upon arrival at a hospital emergency department.</p> <p>The PTSD must be demonstrated by clear and convincing evidence. Medical and indemnity benefits for a first responder's PTSD are due regardless of whether the first responder incurred a physical injury, and the following provisions do not apply:</p> <ul style="list-style-type: none"> <li>• apportionment due to a preexisting PTSD;</li> <li>• the one percent limitation on permanent psychiatric impairment benefits; or</li> <li>• any limitation on temporary benefits under s. 440.093, F.S.</li> </ul> <p>The first responder must file the notice of injury with the employer or carrier within 90 days of the qualifying event described above, or manifestation of the PTSD; however, the claim is barred if it is not filed within 52 weeks of the qualifying event.</p> <p>The bill requires an employing agency of a first responder to provide educational training relating to mental health awareness, prevention, mitigation, and treatment.</p>		
CS/SB 394, ss. 1, 2; Fire Safety; Ch. 2018-18, L.O.F.	633.408(1); and 633.508(2)	The Division of State Fire Marshal shall establish by rule courses to provide training for career and volunteer firefighters related to cancer and mental health risks within the fire service.	Rule 69A-37.055, FAC	Related rulemaking listed on Attachment A.
CS/CS/HB 465; Insurance; Ch. 2018-131, L.O.F.	625.151; 625.325; 626.221(2); 626.918(2)(a) (repealed); 626.9651; 627.416; 627.43141; 627.7015; 627.728; 628.4615; 628.8015; 629.401; 634.121; and 641.3107	<p>The bill amends numerous provisions of the Florida Insurance Code. The bill:</p> <ul style="list-style-type: none"> <li>• provides that the stock of a subsidiary corporation or related entity of a foreign insurer is exempt from certain limitations on valuation and investment requirements for solvency evaluation purposes if the investments are permissible in the insurer's domicile state that is a member of the National Association of Insurance Commissioners and the investments meet specified requirements;</li> <li>• provides that an applicant for licensure as an all-lines adjuster certified as a Claims Adjuster Certified Professional from WebCE, Inc. does not have to take the adjuster examination;</li> <li>• repeals a requirement that surplus lines insurers request eligibility from the Florida Surplus Lines Service Office;</li> <li>• incorporates a recent amendment of the Gramm-Leach-Bliley Act for purposes of privacy standards applicable to certain notices required by rules adopted by the DFS and the Financial Services Commission;</li> </ul>		<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b></p> <p>Existing rules will not need amending as they refer to the statute.</p>

		<ul style="list-style-type: none"> <li>• provides that an insurer may issue an insurance policy without certain signatures;</li> <li>• requires that a notice of policy change summarize the changes made to the policy before renewal;</li> <li>• provides that an insurer is not required to participate in a mediation of a property insurance claim requested by an assignee of policy benefits;</li> <li>• allows motor vehicle insurers to use the Intelligent Mail barcode, or similar method approved by the United States Postal Service, to document proof of mailing of certain required notices;</li> <li>• authorizes specialty insurers to overcome a presumption of control regarding acquisition of stocks, interests, and assets of other companies by filing a disclaimer of control with the Office of Insurance Regulation, and provides that authorized viatical settlement providers are specialty insurers;</li> <li>• expands the confidentiality of documents submitted to the Office of Insurance Regulation under Own-Risk and Solvency Assessment requirements to make such documents inadmissible as evidence in any private civil action, regardless of from whom they were obtained;</li> <li>• revises unearned premium reserve requirements for reciprocal insurers; and</li> <li>• allows for electronic posting of certain policy information by health maintenance organizations and motor vehicle service agreement companies.</li> </ul>		
CS/CS/HB 483, s. 1; Unfair Insurance Trade Practices; Ch. 2018-149, L.O.F.	626.9541	<p>The bill expands the exception for advertising gifts to:</p> <ul style="list-style-type: none"> <li>• allow gifting of merchandise, goods, wares, store gift cards, gift certificates, event tickets, anti-fraud or loss mitigation services, or other items up to the specified limit, and increase the maximum allowed value from \$25 to \$100 per insured or prospective insured;</li> <li>• remove the limitation that the gifts be for advertising purposes; and</li> <li>• authorize charitable contributions in the name of insureds or prospective insureds, up to the specified limit.</li> </ul> <p>In relation to advertising gifts by title insurance agents, agencies, and insurers, the bill maintains the existing gift limit applicable to them (i.e., limits them to an aggregate \$25 gift value with no annual aggregate limitation).</p>	Rule 69B-186.010, FAC	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b></p> <p>Rule already exists and will not need amendment as it refers to the statute.</p>
CS/HB 529, s. 1; Florida Fire Prevention Code; Ch. 2018-152, L.O.F.	633.202	<p>The bill provides that residents of apartment buildings may place combustible waste and refuse in exit access corridors in apartment buildings if the following conditions are met:</p> <p>(1) For buildings with enclosed corridors and interior or exterior stairs:</p> <ul style="list-style-type: none"> <li>• Doorstep refuse and recycling collection containers are not in an exit access corridor for a single period greater than 12 hours;</li> </ul>	Rule Chapter 69A-60, FAC	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b></p> <p>This is an addition to the Florida Fire Prevention Code, which the Division of State Fire Marshal</p>

		<ul style="list-style-type: none"> <li>Doorstep refuse and recycling containers do not exceed 13 gallons;</li> </ul> <p>(2) For buildings with open air corridors and exterior stairs or balconies with exterior exit stairs:</p> <ul style="list-style-type: none"> <li>Doorstep refuse and recycling collection containers do not exceed 27 gallons;</li> </ul> <p>(3) For buildings with either corridors, stairs, or balconies as described in (1) or (2):</p> <ul style="list-style-type: none"> <li>Doorstep refuse and recycling collection containers are able to stand upright on their own and may not leak fluids when standing upright;</li> <li>Doorstep refuse and recycling collection containers do not reduce the exit access corridor's width below the width required by the Florida Fire Prevention Code;</li> <li>Waste, which is in a doorstep refuse and recycling collection container, is not placed in an exit access corridor for a single period greater than five hours; and</li> <li>The apartment's management staff have written policies and procedures to ensure compliance with the above conditions. Management staff must enforce the policies and must provide a copy of the policies to the authority having jurisdiction upon request.</li> </ul> <p>The bill provides that the local fire marshal may approve alternative containers or storage arrangements that are equivalent to the bill's requirements. Apartment complexes must comply with the bill's requirements by December 31, 2020.</p>		has adopted in Rule Chapter 69A-60, FAC. No rulemaking will be necessary.
CS/CS/CS/HB 1073; Department of Financial Services; Ch. 2018-102, L.O.F.	17.64; 20.121; 39.6035; 218.32; 284.40; 284.50; 409.1451; 414.411; 624.317; 624.34; 624.4073; 624.4094; 624.501; 624.509; 625.071; 626.112; 626.171; 626.202; 626.207;	<p>The bill makes various changes to statutes relating to the DFS. The bill:</p> <ul style="list-style-type: none"> <li>allows the Division of Treasury to use "electronic images" as a means of producing copies of warrants, vouchers, or checks;</li> <li>creates the Bureau of Insurance Fraud and the Bureau of Workers' Compensation Fraud within the Division of Investigative and Forensic Services of the DFS, as well as changes the name of the Bureau of Fire and Arson Investigations to the Bureau of Fire, Arson, and Explosives Investigations;</li> <li>requires transition plans of youth aging out of foster care to provide information on the financial literacy curriculum offered by the DFS, and requires young adults who have aged out of foster care and who request aftercare services to receive information about the financial literacy curriculum;</li> <li>provides a \$500,000 appropriation to begin the process of creating the Florida Open Financial Statement System to allow better access to financial reports filed by local governments;</li> </ul>	<p>Rule Chapter 69A-37, FAC, will need to be updated due to changes to chapter 633, F.S., regarding requirements for firefighter Special Certificates of Compliance.</p> <p>Rule Chapter 69B-213, FAC, will need to be updated to allow customer representatives to be appointed via eAppoint.</p> <p>Rule Chapter 69B-220, FAC, will need to be updated regarding emergency and apprentice adjusters.</p>	<p>Related rulemaking listed on Attachment A.</p> <p>The Division of Treasury is issuing an Invitation to Negotiate re E-Payment Collection Solutions and Merchant Services (1819-01 ITN TR).</p> <p>Contracts for implementation of the Florida Open Financial Statement System must be procured using the request for proposals process.</p> <p>The Division of Risk Management is contracting with Insurance Services Office,</p>

	626.221; 626.451; 626.521; 626.731; 626.7351; 626.744; 626.745; 626.7451; 626.7455; 626.793; 626.798; 626.837; 626.8372; 626.8374(1)(b) (reenacted); 626.88; 626.927; 626.930; 626.9892; 633.302; 633.304; 633.314; 633.318; 633.408(6); 633.444; 648.27; and 648.34	<ul style="list-style-type: none"> <li>• directs agencies to provide risk training, report return-to-work data to the DFS, and submit information regarding internal risk assessments to the DFS;</li> <li>• allows the DFS to disclose the personal identifying information of injured employees to its contracted vendors for administering workers' compensation claims;</li> <li>• specifies that public assistance recipients give written consent to make inquiry of past or present employers and records to the Department of Education, rather than the Department of Economic Opportunity, to facilitate the investigation by the DFS of public assistance fraud;</li> <li>• eliminates the licensure requirement for managing general agents and replaces it with a process where managing general agents are appointed by insurance companies;</li> <li>• reduces from 24 to four the number of risks that an agent can write for an insurer in a calendar year without an appointment by the insurer or an exchange of business appointment;</li> <li>• extends the validity of fingerprints from 12 to 48 months for currently licensed individuals seeking other DFS licenses;</li> <li>• eliminates the requirement that nonresident public adjusters and nonresident all-lines adjusters submit an affidavit certifying their understanding of Florida law;</li> <li>• provides that the DFS may provide rewards to individuals who provide information leading to the arrest and conviction of persons who commit arson;</li> <li>• creates a uniform four-year appointment term for members of the Florida Fire Safety Board;</li> <li>• clarifies the inactive status requirements for a fire equipment dealer license and removes the requirements that proof of insurance for a fire equipment dealer or fire protection system contractor's license must be on a form provided by the DFS;</li> <li>• specifies roles, responsibilities, and retention requirements of individuals holding a Special Certificate of Compliance;</li> <li>• repeals outdated language requiring the Florida State Fire College to develop and implement a staffing formula for the Fire College; and</li> <li>• allows a life agent who is a certified public accountant and who has specified registrations in the financial services business to serve as trustee in situations where the life agent has placed the life insurance coverage.</li> </ul>		Inc. (ISO ClaimSearch), to further its fraud detection capabilities with respect to workers' compensation claims; this contractual relationship requires disclosure of personal identifying information of injured employees for workers' compensation claims, which is now authorized.
CS/CS/HB 1361, ss. 1, 3, 5, 8-11; Clerks of Court; Ch. 2018-71, L.O.F.	43.19 (repealed); 45.031; 45.032;	This bill repeals s. 43.19, F.S., providing that unclaimed funds left on deposit with the courts, and claims thereof, will be administered in accordance with chapter 717, F.S., which eliminates long standing	Rule 69G-20.041, FAC	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b>

	45.033; 45.034 (repealed); 45.035; 318.1451; 717.113; 717.124; 717.138; and 717.1401	conflicts between the dated s. 43.19, F.S., statute and the more current chapter 717, F.S. The DFS will administer the surplus property directly.  This bill also repeals s. 45.034, F.S., regarding appointment of surplus trustees in foreclosure actions, which will eliminate the redundant and costly surplus trustee application, certification, and appointment processes currently performed by the DFS and clerks of court. The bill clarifies when funds remaining after a judicial sale and held in the court registry become payable and distributable and subject to certain reporting requirements.		The referenced rule incorporates Form DFS-A4-1992, the Division of Unclaimed Property Reporting Instructions Manual. No rulemaking will be necessary to reflect the changes made in chapter 717, F.S., and the bill doesn't take effect until 7/1/19.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds provided in Specific Appropriations 2246 through 2467, the DFS shall submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, and (e) total travel cost. The report shall be submitted to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The first report shall be submitted on July 13, 2018, for the period of April 1, 2018, through June 30, 2018, and quarterly thereafter.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is a function of the DFS's Division of Accounting and Auditing.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds in Specific Appropriation 2289, \$2,800,631 in recurring funds from the Administrative Trust Fund and \$699,369 in recurring funds from the General Revenue Fund are provided to the DFS to competitively procure technical support for the operations and maintenance of the Florida Accounting Information Resource (FLAIR) Subsystem. From these funds, \$1,500,000 from the Administrative Trust Fund shall be placed in reserve. The DFS may submit budget amendments to request release of the funds held in reserve pursuant to the provisions of chapter 216, F.S. Budget amendments shall include a detailed operational work plan and spending plan.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is a function of the DFS's Florida Planning, Accounting, and Ledger Management program (Florida PALM).
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds provided in Specific Appropriations 2314, 2316, and 2321, the DFS shall audit all court-related expenditures of the Clerks of Court pursuant to ss. 28.241 and 28.35, F.S. The DFS shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis. The DFS shall submit a report on July 27, 2018, for the period April 1, 2018, through June 30, 2018, and quarterly thereafter.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is a function of the DFS's Division of Accounting and Auditing.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds in Specific Appropriation 2318, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is contracted services per GAA requirement.



<p>HB 5001, s. 6; General Appropriations Act; Ch, 2018-9, L.O.F.</p> <p>HB 5003, s. 53; GAA Implementing Act; Ch. 2018-10, L.O.F.</p>	<p>N/A</p>	<p>Funds in Specific Appropriation 2333 (\$32,471,137) are provided for the completion of the competitive procurement and contract award for the software and system integrator for the replacement of all four components of the FLAIR Subsystem and two components of the Cash Management Subsystem (CMS). The General Appropriations implementing act, HB 5003, provides for the replacement of the FLAIR and CMS subsystems. The DFS shall award a multi-year contract for the FLAIR and CMS system replacements, which must align with the scope and cost not to exceed the project as identified in Option 3 of the March 31, 2014, "Florida Department of Financial Services FLAIR study, version 031." Of these funds, \$32,178,978 shall be placed in reserve. If the DFS has not posted an intent to award the software and system integrator by July 1, 2018, the DFS will provide a project plan update by July 15, 2018. The project plan shall identify the activities, resources, and schedule to ensure a timely contract award. Additionally, the plan shall include any mitigation activities necessary to reduce the risk of any delay in the current schedule.</p> <p>If the DFS has not posted an intent to award the software and system integrator engagement by July 1, 2018, the DFS is authorized to submit budget amendments to request the release of an amount not to exceed \$584,320 of the funds held in reserve pursuant to the provisions of chapter 216, F.S., to continue project management and other activities. The budget amendments shall include the DFS's revised plan that identifies the activities, resources, and schedule including a revised date for the intent to award and details an explanation for the continued delay in the posting of an intent to award the software and system integrator engagement.</p> <p>If the DFS has not posted an intent to award the software and system integrator engagement by September 1, 2018, the DFS is authorized to submit budget amendments to the Legislative Budget Commission to request the release of an amount not to exceed \$3,505,922 of the funds held in reserve, to continue project management and administrative activities. The budget amendments shall include the agency's current plan that identifies the activities, resources, and schedule including a revised date for the intent to award and details an explanation for the continued delay in the posting of an intent to award the software and system integrator engagement.</p> <p>Upon submission of a copy of the software and system integrator contract approved by the Chief Financial Officer, the DFS is authorized to submit budget amendments to request the release of an amount not to exceed \$28,965,216 of funds held in reserve pursuant to the provisions of chapter 216, F.S. The budget amendments shall include a project plan that includes the agency's responsibilities and software and system integrator's responsibilities, resources, and schedule, spending</p>	<p>N/A</p>	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is a function of the DFS's Florida PALM.</p>
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		plan, and a copy of the software and system integrator contract approved by the Chief Financial Officer.		
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	<p>From the funds in Specific Appropriation 2333, \$806,254 in nonrecurring funds is provided to the DFS to competitively procure a private sector provider with experience in conducting independent verification and validation services of public sector information technology projects to provide independent verification and validation for the replacement of the FLAIR and CMS subsystems. The contract shall require that all deliverables be simultaneously provided to the DFS, the Agency for State Technology, the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget.</p> <p>The DFS shall provide monthly project status reports to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. Each report must include progress made to date for each project milestone and contracted deliverable, planned and actual completion dates, planned and actual costs incurred, and any current project issues and risks.</p>	N/A	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is a function of the DFS's Florida PALM.</p>
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	Funds in Specific Appropriation 2350 (\$1,000,000) are provided for the Firefighter Assistance Grant Program and shall be awarded to entities pursuant to section 633.135, F.S.	Rule 69A-37.502, FAC	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> The referenced rule implemented s. 633.135, F.S., by creating the Firefighter Assistance Grant Program, which must only be carried out when funds have been allocated by the legislature to the Division of State Fire Marshal for the grant period.</p>
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	The nonrecurring funds in Specific Appropriation 2357 (\$350,000 fixed capital outlay) are provided for building repairs and maintenance for the Florida State Fire College. These funds shall be held in reserve. The DFS is authorized to submit budget amendments for the release of these funds pursuant to the provisions of chapter 216, F.S. Release is contingent upon approval of a detailed project and spending plan that identifies the specific tasks, reflecting estimated and actual costs.	N/A	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement</p>
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	<p>From the funds in Specific Appropriation 2360A, \$4,022,000 in nonrecurring funds is provided for local government fire services as follows:</p> <p>BRIDG - Fire Safety Program - \$1,000,000; Charlotte County Airport Rescue and Firefighting Training Prop - \$1,500,000; DeSoto County Public Safety Equipment - \$310,000; Miami</p>	N/A	<p><b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> The Division of State Fire Marshal will award five equipment grants.</p>

		Fire-Rescue Department Mobile Command Vehicle - \$400,000; Seminole State College Fire Training Equipment - \$812,000.		
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	The nonrecurring funds provided in Specific Appropriation 2361A (\$2,000,000) shall be transferred to the University of Miami-Sylvester Comprehensive Cancer Center for the purpose of Firefighter Cancer Research. The funds shall be utilized to: expand firefighters' access to cancer screenings across the state; enable prevention and earlier detection of the disease; identify exposures that account for increased cancer risk; and field test new technology and methods that measure exposure in the field. The University of Miami-Sylvester Comprehensive Cancer Center shall develop a report on cancer research outcomes and cancer mitigation efforts being examined. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, the Chief Financial Officer, and the Governor by June 15, 2019.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> The Division of State Fire Marshal and the University of Miami have entered into a grant agreement and a data use agreement.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds in Specific Appropriation 2367A, \$7,876,650 in nonrecurring funds from the Insurance Regulatory Trust Fund is provided to local government fire services as follows: Blountstown Fire Department - \$225,000; Brooksville Fire Department - Public Safety Constructive Renovations - \$353,150; Central Florida Zoo Fire Alarm/Suppression - \$250,000; Chattahoochee Fire Department - \$225,000; Coral Gables Fire Station and Land Acquisition at Cartagena Park - \$1,500,000; Fort Coombs Armory, Fire Sprinkler System - \$100,000; Hernando County Fire Rescue Station #6 Renovation Project - \$1,200,000; Jackson County Fire Rescue Station 22 - \$150,000; Margate Fire Station 58 Replacement - \$1,000,000; Okeechobee County Fire Station - \$500,000; Seminole State College Fire Training Infrastructure - \$1,188,000; Sweetwater Fire Station - \$200,000; Wausau Fire House - \$985,500.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> The Division of State Fire Marshal will award 13 construction grants.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds in Specific Appropriation 2415, \$1,200,000 in nonrecurring funds from the Insurance Regulatory Trust Fund shall be held in reserve. Contingent upon the DFS submitting a Schedule IV-B feasibility study which requires consideration of technical solution alternatives including third-party providers with cloud-based solutions for the replacement of current databases in the Division of Funeral, Cemetery, and Consumer Services. The DFS is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, F.S. The request for release of funds shall include submission of a detailed operational work plan, spending plan, and status report.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> This is contracted services per GAA requirement.
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	Funds in Specific Appropriation 2435 (\$1,904,211) are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement

HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	Funds in Specific Appropriation 2437 (\$633,580) are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the 11 <sup>th</sup> , 13 <sup>th</sup> , 15 <sup>th</sup> , and 17 <sup>th</sup> Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	From the funds in Specific Appropriation 2462, three positions with associated salary rate of \$152,645 and \$210,000 from the Workers' Compensation Administration Trust Fund are provided for additional workers' compensation insurance fraud investigators. The positions and funding shall be placed in reserve and are contingent upon a grant to fund the positions. After grant funding has been obtained by the DFS, it shall request the release of positions and funds pursuant to the provisions of chapter 216, F.S.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	Funds in Specific Appropriation 2466 (\$1,767,857) are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, Lee, and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement
HB 5001, s. 6; General Appropriations Act; Ch. 2018-9, L.O.F.	N/A	Funds in Specific Appropriation 2467 (\$210,000) are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Miami-Dade County. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.	N/A	<b>Written Explanation Why Law May be Implemented Without Rulemaking:</b> GAA requirement

- II. Pursuant to s. 120.74(1)(b), F.S., please see Attachment A, a listing of rules the agency expects to promulgate during the 2018-2019 fiscal year.
- III. Pursuant to s. 120.74(1)(c), F.S., please see Attachment B, the agency's update to the prior years' regulatory plans.
- IV. Pursuant to s. 120.74(2), F.S., the agency has done the following:
- published its regulatory plans on its website with clearly labeled hyperlinks to the current plan and past plans on the agency's primary website homepage at <https://www.myfloridacfo.com/division/RuleReview/>;
  - electronically furnished a copy of this plan with its certification to the Joint Administrative Procedures Committee; and
  - published in the *Florida Administrative Register* a notice identifying the date of publication of the agency's 2018-2019 regulatory plan.

# **ATTACHMENT A**

## **RULEMAKING DURING 2018-2019**

**69A = State Fire Marshal**

**69B = Insurance Agent and Agency Services**

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69A-2.024	Construction Materials Mining Activities	Anticipate needing amendments to rules regarding blast activities reporting and seismograph documentation due to recommendations from Construction Materials Mining study completed in July 2018.	B
69A-37.039	Prescribed Forms for Training and Certification	Addition of new forms to support Aircraft Firefighter certification to be added to 69A-37.065.	B
69A-37.055	Curriculum Requirements for Training Firefighter Recruits or Firefighters	Due to passage of CS/SB 394, in which changes were made to s. 633.408, the Division of State Fire Marshal shall establish courses to provide training for career and volunteer firefighters related to cancer and mental health risks within the fire service.	A
69A-37.059	Types of Instructor Certificates Issued	Instructor qualifications in conflict with 69A-37.065, the Programs of Study rule.	A
69A-37.060	Certification as an Approved Firefighter Recruit Training Facility	Language in statute requires training centers to have a specific author's textbooks in their libraries which keeps other authors from being competitive in the private sector.	D
69A-37.065	Programs of Study and Vocational Courses	Development of an Aircraft Firefighter (ARFF) certification (constituent request).	B
69A-41.016	Furnishings and Decorations	Conflicts with code requirements and manufacturer standards; delete unnecessary language.	E
69A-52	Fees Rule Chapter	Amendment of forms and procedures due to the integration of an electronic plans review system. Additionally, changes to fees for plans review and inspections may be needed after a review of all fees is conducted as recommended by the Auditor General.	A, B
69A-58	Firesafety in Educational Facilities	New statutory language requires private schools receiving state scholarship funds to have their firesafety inspections entered into the "School Inspection	A

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		Reporting System," as public and charter schools are already required by statute to do. Need to adopt rules regarding the procedures for the entry into the system.	
69A-62.024	Standards for Construction, Repair, and Maintenance of Firefighter Employee Places of Employment and the Inspection, Testing and Maintenance of Fire Apparatus	Conflicts with manufacturer standards and places undue costs on fire departments; delete unnecessary language.	D
69A-62.033	Recordkeeping Responsibilities of Firefighter Employers	Current rule is confusing to constituents and needs to be simplified.	A
69B-213	Customer Representatives	Update rule to allow customer representatives to be appointed via eAppoint.	B, D
69B-220	Adjusters	Amend rules to reflect changes made to the Florida Statutes regarding emergency and apprentice adjusters.	A
69B-227	Prelicensing Education	Clarify expiration standards for providers; expand use of guest lecturers; clarify qualifications and record requirements for instructors and guest lecturers; revise course submittal submissions requirements for online study method; and update outdated form language.	A
69B-228	Continuing Education	Clarify expiration standards for providers; expand use of guest lecturers; clarify qualifications and record requirements for instructors and guest lecturers; revise course submittal submissions requirements for online study method; clarify required information for course offerings; revise requirements for certificate of completion records; and update outdated form language.	A
69B-241	Penalty Guidelines for Bail Bond Agents	May need revisions to bail bond penalty guidelines.	A

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69H-1.002	Premium Assessments	As part of updates to this entire chapter, clarifications may be needed regarding premium assessments.	A
69H-1.003	Certificate and Other Forms Adopted	Forms need to be updated (some additions, modifications, and deletions).	A
69H-1.005	Automatic Coverage and Certificate of Coverage	Updates needed to incorporate new process to apply for insurance coverage through the Division's risk management information system.	A, B, C
69H-1.006	Losses	Updates needed to incorporate new process to apply for insurance coverage through the Division's risk management information system.	A, B, C
69H-1.007	Settlement of Losses	Update and clarify the process for submitting actual cash value and lightning loss information to the Division.	A
69H-1.008	Building Replacement Value	Update and clarify the process for submitting replacement cost information to the Division.	A
69H-2.003	Premium Assessments	Make updates and clarifications to this rule; update forms.	A, B, C
69H-2.004	Certificate of Coverage	Amend rule to adopt a form.	A, B, C
69H-2.006	Notice of Settlement	Make updates and clarifications to the rule.	A
69H-2.007	Loss Prevention Programs	Update and clarify the rules and update forms.	A, B, C
69H-2.008	Other Forms Adopted	Forms need to be updated (some additions, modifications, and deletions).	A
69H-2.010	Property Damage Coverage for State-Owned Vehicles	Make updates and clarifications to the rule; update forms.	A, B, C
69I-21	Audit and Adjustment of Accounts and Recovery of Accounts Receivable	Update this rule chapter to include the settlement of accounts receivable records/write-offs. Components of this should emphasize that the write-off process is an accounting transaction, not the forgiveness of debt. Expound on due diligence and accounting accuracy as it relates to the adjustment of property and accounts receivable records. Possibly delete subsections .004 and .005.	A, C, E

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69I-25.003	Rate of Interest, Judgements, Decrees or Untimely Payment to Vendors	The calculation of the interest rate in the current rule does not match what the statute says (s. 55.03, F.S.).	A
69I-31.226	Wage Payments from Revolving Funds	Update needed to make rule more consistent with statutory changes made in 2017.	A
69I-42.004	Conferences and Conventions	Requests for direct payment of a registration fee by the agency shall be vouchered in favor of the conference or convention sponsor or designee, shall list the traveler as a subvendor, including the traveler's social security number, name, appropriate travel object code, and cost of registration (pay and charge voucher). The voucher shall include a copy of the conference or convention registration form and a statement of the benefits accruing to the state by virtue of the traveler's attendance.	B, C
69I-42.007	Transportation – Common Carriers	Common carrier charges may be billed directly to the agency pursuant to subsection 69I-42.011(3), F.A.C., or the traveler may pay for his/her common carrier charges and request reimbursement therefor on Form DFS-AA-15. Requests for payment of common carrier charges billed directly to the agency shall be vouchered separately by the agency, in favor of the vendor, shall list the traveler as a subvendor (pay and charge voucher), and shall also reflect the traveler's social security number, name, and costs of each traveler's transportation by common carrier. Each payment shall be appropriately object coded within the classifications established by the Department of Financial Services. The voucher maintained at the agency shall have sufficient information to substantiate the payment of the common carrier charges.	B, C
69I-72.001	Definitions	Updates needed to reflect updated Governmental Accounting Standards Board (GASB) Codifications 2200.115, .173, and .196 reporting requirements.	A



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69I-72.002	Threshold for Recording Tangible Personal Property for Inventory Purposes	Updates required to comply with GASB 72, paragraphs 79a and 79b.	A
69I-72.003	Recording of Property	Updates required to comply with GASB 72, paragraphs 79a and 79b.	A
69J-176.022	Mediation of Bodily Injury and Property Damage Claims	Revise Form DFS-IO-510 to remove collection of social security numbers and add Form DFS-IO-1121.	B
69K-_____	NEW RULE	New rule to implement newly created s. 497.393, F.S. – Licensure; military-issued credentials for licensure.	D
69K-1.001	List of Approved Forms; Incorporation by Reference	Due to the passage of CS/HB 29 making changes throughout chapter 497, F.S., amendments to rules in this chapter will need to be made waiving licensure application and renewal fees for members of the U.S. Armed Forces, their spouses, and honorably discharged veterans (within 24 months of discharge), because applicants are currently required to remit application fees as a precondition to processing an application for licensure and licensees are required to remit nonrefundable renewal fees to maintain licensure. Rule 69K-1.001 adopts the DFS's application and renewal forms and will need to be updated to implement the waiver of application and renewal fees.	D
69K-1.003	Miscellaneous Fees; Name Changes and Duplicate Licenses	Reference to an unlicensed activity fee must include waiver for military.	D
69K-1.005	Licensure Application Procedures	References to "credentials" may have to be included.	A
69K-5.002	Applications for Preneed License	Reference to an application fee must include waiver for military.	D
69K-5.0021	Application for Preneed License Branch Office License	Reference to an application fee must include waiver for military.	D

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69K-5.003	Application for Preneed Sales Agent License and Appointment	Reference to an application fee must include waiver for military.	D
69K-5.012	Application and Renewal Procedures for Broker of Burial Rights License	Reference to fees must include waiver for military.	D
69K-7.009	Reporting Requirements for Preneed Licensees Filing an Initial Application to Utilize a Letter of Credit or Surety Bond in Lieu of Maintaining a Trust Fund	Amend to remove the reference to a "Letter of Credit".	A
69K-7.0095	Preneed Trust Fund; Financial Reports	Proposed new rule implementing section 497.458(1)(k), F.S.	A
69K-7.012	Criteria for Filing a Surety Bond in Lieu of Maintaining a Trust Fund	Remove references to "Letter of Credit".	A
69K-7.0125	Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers	Amend to remove reference that financial statements must be submitted to the Board on an annual basis.	B
69K-7.013	Procedures for Filing Claim with the Board	Remove references to "Letter of Credit".	A
69K-18.001	Embalmer Intern Training Program	Reference to fees must include waiver for military.	D
69K-18.002	Funeral Director Intern Training Program	Reference to fees must include waiver for military.	D
69K-18.003	Concurrent Internships	Reference to an application fee must include waiver for military.	D

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RULE NUMBER	TITLE	EXPLANATION	INTENDED TO: A. Simplify or clarify; B. Increase efficiency; C. Improve coordination with other agencies; D. Reduce regulatory costs; or E. Delete obsolete, unnecessary, or redundant rules.
69K-21.007	Responsibility of Funeral Director in Charge	Changes needed regarding the role of the funeral director in charge; clarify by amending the rule.	A
69K-25.003	Licensure as Temporary Embalmer or Temporary Funeral Director; Manner of Requesting and Fee; Practice Limitations; Expiration	Reference to fees must include waiver for military.	D
69K-27.001	Embalmer Apprentice Program	Reference to fees must include waiver for military.	D
69L-3.009	Injuries that Qualify as Grievous Bodily Harm of a Nature that Shocks the Conscience	A new rule is being introduced due to the passage of CS/CS/SB 376, in which subsections (5) and (6) were added to s. 112.1815, F.S. The DFS "shall adopt rules specifying injuries qualifying as grievous bodily harm of a nature that shocks the conscience" for the purposes of establishing for first responders that posttraumatic stress disorder is an occupational disease compensable by workers' compensation benefits.	C
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual	The purpose of this rule is to adopt the 2018 edition of the Florida Workers' Compensation Health Care Provider Reimbursement Manual and the associated maximum reimbursement allowances adopted by the Three-Member Panel.	A, B, C
69L-7.100	Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)	The purpose of this rule is to adopt the 2018 edition of the Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs) and the associated maximum reimbursement allowances adopted by the Three-Member Panel.	A, B, C
69L-7.501	Florida Workers' Compensation Reimbursement Manual for Hospitals	The purpose of this rule is to adopt the 2018 edition of the Florida Workers' Compensation Reimbursement Manual for Hospitals and the associated maximum reimbursement allowances adopted by the Three-Member Panel.	A, B, C

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69L-26.002	Definitions	The purpose of the rule amendment is to remove outdated provisions and to revise the content of the Injured Employee Notification Letter as required by s. 440.185(10), F.S.	A
69L-26.004	Requesting Assistance	The purpose of the rule amendment is to remove outdated provisions and to revise the content of the Injured Employee Notification Letter as required by s. 440.185(10), F.S.	A

# **ATTACHMENT B -UPDATE TO** **DEPARTMENT OF FINANCIAL SERVICES'** **PROPOSED RULES FOR PREVIOUS YEARS**

**69A = State Fire Marshal**

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69A-3.012	Standards of the National Fire Protection Association and Other Standards Adopted	The proposed rule is to promulgate the triennial update of the Florida Fire Prevention Code as directed by s. 633.202(1), F.S.	Notice of Rule Development – Vol. 43, Issue 109; Notice of Proposed Rule – Vol. 43, Issue 129. Notice of Change – Vol. 43, Issue 187; Effective 12/31/17.
69A-21.102	Dealer License	The NFPA standards adopted by reference in subsection (1) need to be checked by the Division to determine whether the correct edition has been adopted. Effective dates for Compressed Gas Association publications are out of date. Also, CFR sections adopted in 1996 editions of CGA publications have been amended many times since then. These standards are also adopted in 69A-60. Also, subsection (6) that requires notice for structures with light-frame truss construction is adopted again in 69A-60.0081. All standards adopted by reference in subsection (12) need to have updated effective dates. The first sentence in (12)(a) is a run-on sentence. There should be a period after "the required equipment listed below."	As of 7/20/18 – The Division is still trying to determine which version of the Compressed Gas Association's publications is effective.
69A-37.037	Firefighter Training Course Medical Examination	The Division should determine whether the 2007 Edition of NFPA 1582-5.1 is the correct edition for this rule.	Request for rulemaking cancelled without submittal of rule language by Division. It will submit a new request to update to the 2018 Edition and may also require form edits.
69A-37.039	Prescribed Forms for Training and Certification	Add three new forms, including form DFS-K4-1028, Verification of Training Hours/Firefighter I and II. Amend form DFS-K4-1022, Medical Examination to Determine Fitness for Firefighter Training.	Notice of Rule Development – Vol. 44, Issue 131; workshop 8/8/18.
69A-37.039	Prescribed Forms for Training and Certification	Add new form to rule, Application for Lifetime Firefighter Designation, to implement section 633.415, F.S.	Notice of Rule Development – Vol. 43, Issue 191; Notice of Proposed Rule – Vol. 43, Issue 222; Effective 2/19/18.
69A-37.058	Verification of Prescribed Training Hours	References to form DFS-K4-1028 does not include a link or incorporate the form by reference.	Notice of Rule Development – Vol. 44, Issue 131; workshop 8/8/18.
69A-37.060	Certification as an Approved Firefighter Recruit Training Facility	This rule currently references International Fire Service Training Association Manual Essentials of Firefighting (current edition). We want to remove any	Holding until the Division can move forward with 69A-37.065, which is waiting on the ARFF Firefighter Task Book to be completed.

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
		reference to a specific book or manual or the requirements to have a specific book or manual.	
69A-37.062	Procedures for Minimum Standards Course Examination	The Bureau of Fire Standards and Training received a request from the Florida Fire Training Directors Association to update this rule. The Bureau conducted several listening sessions.	Notice of Rule Development – Vol. 43, Issue 152; Notice of Proposed Rule - Vol. 43, Issue 214; Effective 1/30/18.
69A-37.065	Fire Inspector Curriculum/Certification	Rulemaking to move the provisions of the firesafety inspector program to Rule 69A-39.005, F.A.C.	Notice of Rule Development – Vol. 44, Issue 131; workshop 8/8/18.
69A-37.065	Fire Inspector Curriculum/Certification	To establish a voluntary advanced training and certification program for individuals to achieve advanced training in airport firefighting techniques and procedures.	Waiting on the ARFF Firefighter Task Book, which is still in development and unavailable at this time.
69A-39.003	Types of Certification Available	This rule is travelling with 69A-39.005 and 69A-39.009, below. It creates three levels of progression for certification as a firesafety inspector.	Notice of Rule Development – Vol. 44, Issue 131; workshop 8/8/18.
69A-39.005	Minimum Curriculum Requirements for Firesafety Inspector Certification	Clarify fire inspectors training and certification requirements.	Notice of Rule Development – Vol. 44, Issue 131; workshop 8/8/18.
69A-39.009	Renewal of Firesafety Inspector and Fire Code Administrator Certification	The rule is travelling with 69A-39.003 and 69A-39.005, above. It updates the 40-hour continuing education requirement to 54 hours.	Notice of Rule Development - Vol. 44, Issue 131; workshop 8/8/18.
69A-40.024	Scope	Update rule to adopt more recent editions of NFPA standards.	Notice of Rule Development - Vol. 43, Issue 198. Comments and questions pending with the Division.
69A-51.001	Scope	Rulemaking and technical changes needed as a result of passage of HB 925.	Notice of Rule Development – Vol. 44, Issue 81; workshop held 5/23/18.
69A-60.002	Scope; Description of Florida Fire Prevention Code.	Develop the 6th Edition of the Florida Fire Prevention Code. Pursuant to s. 633.202, F.S. The State Fire Marshal is directed to adopt a new edition of the Florida Fire Prevention Code every third year. The new code is scheduled to be adopted by rule during the upcoming two years pursuant to s. 633.202(2), F.S.	Notice of Rule Development – Vol. 42, Issue 50; Notice of Proposed Rule – Vol. 43, Issue 129; Effective 12/31/17.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69A-60.003	Standards of the National Fire Protection Association, NFPA 1, the Fire Code, Florida 2015 Edition, Adopted	The Division of State Fire Marshal has received a declaratory statement asking for an interpretation of a Florida-specific amendment to the Florida Fire Prevention Code, NFPA 1:50.7 Mobile and Temporary Cooking Operations. Upon review of the existing amendment, it is believed that the language would cause some unintended results if not amended. Section 633.202(5)(d), F.S., allows the division to address unintended results from the integration of Florida-specific amendments through the rulemaking process.	Notice of Rule Development – Vol. 44, Issue 92; Workshop held 6/5/18; Notice of Proposed Rule- August 21, 2018 Vol. 44, Issue 164.
69A-60.003	Standards of the National Fire Protection Association, NFPA 1, the Fire Code, Florida 2012 Edition, Adopted	Develop the 6th Edition of the Florida Fire Prevention Code. Pursuant to s. 633.202, F.S. The State Fire Marshal is directed to adopt a new edition of the Florida Fire Prevention Code every third year. The new code is scheduled to be adopted by rule during the upcoming two years pursuant to s. 633.202(2), F.S.	Notice of Rule Development – Vol. 42, Issue 50; Notice of Proposed Rule – Vol. 43, Issue 129; Effective 12/31/17.
69A-60.004	Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Florida 2012 Edition, Adopted	Develop the 6th Edition of the Florida Fire Prevention Code. Pursuant to s. 633.202, F.S. The State Fire Marshal is directed to adopt a new edition of the Florida Fire Prevention Code every third year. The new code is scheduled to be adopted by rule during the upcoming two years pursuant to s. 633.202(2), F.S.	Notice of Rule Development – Vol. 42, Issue 50; Notice of Proposed Rule – Vol. 43, Issue 129; Effective 12/31/17.
69A-60.005	Publications Referenced in NFPA 1, the Florida 2012 Edition, and NFPA 101, the Florida 2012 Edition, Added to the Florida Fire Prevention Code	Develop the 6th Edition of the Florida Fire Prevention Code. Pursuant to s. 633.202, F.S. The State Fire Marshal is directed to adopt a new edition of the Florida Fire Prevention Code every third year. The new code is scheduled to be adopted by rule during the upcoming two years pursuant to s. 633.202(2), F.S.	Notice of Rule Development – Vol. 42, Issue 50; Notice of Proposed Rule – Vol. 43, Issue 129; Effective 12/31/17.
69A-60.011	Informal, Non-Binding Interpretations of the Florida Fire Prevention Code	Chapter 2016-129, Laws of Florida, mandates that the State Fire Marshal shall adopt rules to address the implementation and expenditure of the funds allocated to fund the Florida Fire Prevention Code informal interpretations; Chapter Law 2017-29 reduced the Department of Business and Professional Regulation's	Notice of Rule Development – Vol. 42, Issue 209; Notice of Proposed Rule – Vol. 43, Issue:43/198. Effective 1/18/18.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		surcharge from 1.5% to 1% of the permit fees associated with enforcement of the Florida Building Code.	
69A-62.0001	Definitions	The definition of "Act" is limited to ss. 633.502-633.508, F.S., although Part V of chapter 633, F.S., continues on to 633.536, F.S. The definition of "fire department" does not include special-district fire service providers.	Notice of Rule Development – Vol. 42, Issue 231; Notice of Proposed Rule – Vol 43, Issue 156; Notice of Change – Vol. 43, Issue 208; Effective 12/12/17.
69A-62.021	Minimum Requirements for Firefighter Employer Comprehensive Safety and Health Program	The web link in (3)(d) does not work. Form DFS-K4-1569 adopted in (7)(b) contains an old effective date.	Notice of Rule Development – Vol. 42, Issue 231; Notice of Proposed Rule – Vol 43, Issue 156; Effective 12/12/17.
69A-62.030	Definitions	Determine why the definitions of fatality, hazard, and illness in this rule differ from the definitions of the same words in 62.040.	Notice of Rule Development – Vol. 42, Issue 231; Notice of Proposed Rule – Vol 43, Issue 156; Effective 12/12/17.
69A-64.005	Adjustments to Reflect Consumer Price Index	Amend for the year 2017 to reflect that the consumer price index increased 1.9 percent in the past 12 months.	Notice of Rule Development – Vol. 43, Issue 159; Notice of Proposed Rule – Vol. 43, Issue 207; Effective 1/8/18.
69A-64.005	Adjustments to Reflect Consumer Price Index	Amend for the year 2018 to reflect that the consumer price index increased 2.9 percent in the past 12 months.	Notice of Rule Development - Vol 44, Issue 156.
69A-70	Carbon Monoxide	Chapter Law 2016-132, Laws of Florida (HB 651), s. 9, modified s. 590.211, F.S., Safety Regulations, to require rulemaking related to carbon monoxide detectors.	Notice of Rule Development - Vol. 42, Issue 130; Notice of Proposed Rule – Vol. 43, Issue 173; Effective 1/18/18.
69B-151.201	Purpose and Scope	The history notes contain unnecessary references to Laws of Florida.	Notice of Rule Development – Vol. 43, Issue 216; Notice of Proposed Rule - Vol. 44, Issue 28; Notice of Change – Vol. 44, Issue 77; Effective 6/4/18.
69B-151.202	Requirements	Subsection (1) is obsolete and redundant to the statutes. Subsections (3), (4), and (5) apply only to insurers. Delete subsections (1), (3), (4), and (5).	Notice of Rule Development – Vol. 43, Issue 216; Notice of Proposed Rule - Vol. 44, Issue 28; Effective 6/4/18.



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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
69B-151.203	Adoption of Form OIR-D0-1180	The OIR bureau listed for obtaining the form does not exist anymore. Replace bureau name and address with weblink: <a href="http://www.floir.com/siteDocuments/OIR-D0-1180.pdf">www.floir.com/siteDocuments/OIR-D0-1180.pdf</a> to obtain the form.	Notice of Rule Development – Vol. 43, Issue 216; Notice of Proposed Rule - Vol. 44, Issue 28; Repealed effective 6/4/18.
69B-156.013	Permitted Compensation Arrangements	Repeal this rule. The rules in this chapter were adopted originally by the Department of Insurance. Both OIR and DFS then adopted the rules. OIR has authority to adopt this rule. DFS does not.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-156.014	Required Disclosure Provisions	Repeal this rule. OIR has authority to adopt this rule. DFS does not. This rule only applies to issuers of Medicare supplement coverage.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-156.015	Requirements for Application Forms and Replacement Coverage	Repeal this rule. OIR has authority to adopt this rule. DFS does not. This rule only applies to issuers of Medicare supplement coverage.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-156.050	Separability	Repeal or change to severability if “any rule in this chapter” is held invalid rather than “any provision of this regulation.” Also change “remainder of the regulation” to “remainder of the chapter.”	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-156.101	Purpose	These rules were adopted by the Department of Insurance in 1979. They have not been amended by DFS since the regulation of insurance companies and insurance agents was split between DFS and OIR in 2003. Section 626.016(3), F.S., provides that DFS has jurisdiction to enforce provisions of the Unfair Insurance Trade Practices Act with respect to persons who engage in actions for which a license issued by the DFS is legally required. OIR of course has jurisdiction to enforce the act with respect to insurance companies. OIR adopted identical rules in Rule Chapter 69O-156. The rule chapter should be amended so that it applies to “insurance representatives” and not to insurers. Rules that apply strictly to insurers should be repealed. These rules will still exist as OIR rules.	On 9/9/16, the Division provided a draft of the rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to companies and add applicable DFS licensee titles.
69B-156.102	Applicability	It should be amended to say that these rules apply to advertisements disseminated by insurance representatives. Language regarding dissemination by insurers should be deleted.	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
			to companies and add applicable DFS licensee titles.
69B-156.103	Definitions	"Insurance representatives" should be defined in 69B-156.103, and it would replace use of the phrase "agent, broker, producer, solicitor" throughout the chapter. Insurance representatives include insurance agencies, MGAs, customer representatives, and service representatives, but not solicitors since that license has been repealed. Rules 69B-156.103(2) (a), (b), (c), and (e) should be deleted because they apply to insurers only.	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to companies and add applicable DFS licensee titles.
69B-156.105	Unfair or Deceptive Acts or Practices Defined	Terms should be reviewed and updated.	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to "company".
69B-156.107	Form and Content of Advertisements	Subsection (3) applies only to insurers and should be deleted. In subsections (4), (5), (6), and (9), "insurer, agent, broker, producer, solicitor" should be replaced by "insurance representative".	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to companies and add applicable DFS licensee titles.
69B-156.108	Advertisements of Benefits Payable, Losses Covered or Premiums Payable	Delete subsection (1)(e) since it only applies to insurers.	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to make the deletion.
69B-156.110	Testimonials or Endorsement by Third Parties	If this rule is applicable to agents, it needs to be rewritten to apply to insurance representatives.	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
			2018, the determination was made to move forward with rulemaking to eliminate references to companies and add applicable DFS licensee titles.
69B-156.114	Jurisdictional Licensing and Status of Insurer	Delete subsection (1) that applies only to insurers. Delete "an insurer" in subsection (3) and insert "insurance representative".	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to insurer and add insurance agent, customer representative, and service representative.
69B-156.115	Identity of Insurer	Delete subsections (1) and (12) that apply only to insurers. Amend subsection (13) to replace "agents, producers, brokers or solicitors" with "insurance representatives".	On 9/9/16, the Division provided a draft of rule; however, there is a question as to whether DFS has authority for the rule (vs. OIR). In August 2018, the determination was made to move forward with rulemaking to eliminate references to insurer and add insurance agent, customer representative, and service representative.
69B-156.117	Introductory, Initial, or Special Offers	Subsections (2) and (3) apply only to insurers and should be deleted.	In August 2018, the determination was made to move forward with rulemaking to make the deletions.
69B-156.123	Prior Rules	Obsolete - repeal.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-157.023	Reporting	Repeal this rule, as it only applies to insurance companies. OIR has rulemaking authority under s. 627.9407(1), F.S., for implementing Part XVIII of chapter 627, F.S.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-157.101	Purpose	Determine whether the stated purposes are within the jurisdiction of the department. Delete provisions in the rule that are not within the department's jurisdiction.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-157.102	Applicability and Scope	Delete subsection (4) - it's obsolete.	Notice of Proposed Rule – Vol. 44, Issue 176.

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
69B-157.103	Definitions	Except for subsection (11), nursing home, none of the other definitions in this rule are used in any of the rules in this chapter. Ten rules that previously were included in this chapter have been repealed. In addition, the rule says that these definitions apply to long-term care insurance policies. The department does not have jurisdiction to define terms for insurance policies. The definition of nursing home is not needed. Repeal the entire rule.	Notice of Proposed Rule – Vol. 44, Issue 176.
69B-157.110	Requirements for Application Forms and Replacement Coverage	Delete subsections (3) and (4) as they contain requirements that are only applicable to insurers.	In August 2018, the determination was made to move forward with rulemaking.
69B-157.116	Suitability	Subsections (2), (4), (7) and (8) contain requirements that are only applicable to insurers. The "Notice to Applicant Regarding Replacement" [subsection (6)] is not specifically identified or adopted by reference by this rule or the identical OIR rule. Delete subsections (2), (4), (7) and (8). The rule needs to be amended to adopt a specific form by reference.	In August 2018, the determination was made to move forward with rulemaking.
69B-157.121	Requirement to Deliver Shopper's Guide	The shopper's guide is not specifically identified or adopted by reference by this rule or the identical OIR rule. The rule needs to be amended to adopt a specific form by reference.	In August 2018, the determination was made to move forward with rulemaking.
69B-186.010	Unlawful Rebates and Inducements Related to Title Insurance Transactions	Amend to clarify that inducements are rebates for purposes of this rule.	Notice of Rule Development – Vol. 42, Issue 35; Notice of Proposed Rule – Vol. 43, Issue 50; Notice of Withdrawal- Vol. 44, Issue 34; Notice of Proposed Rule – Vol. 44, Issue 33; Effective 5/13/18.
69B-211.001	Purpose	Make two minor changes: change the word "part" to "rule chapter" in first sentence; change the word "Subsection" to "section" in second sentence.	Rule Development package in process.
69B-211.002	General Procedures	Many of the forms listed in subsections (3) to (35) have been revised since the dates listed in the rule. A couple of provisions are obsolete. A number of the forms were not available for review on the internet or intranet.	Rule Development package in process.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		<p>Subsection (2)(b) appears to be obsolete since the rules it refers to have been repealed.</p> <p>Subsection (20) needs to be completely revised to reflect current fingerprinting procedures.</p> <p>Subsection (25) needs to be amended because the primary agent designation was repealed from law in 2005. It should read: Adjusting firms filing information regarding primary adjuster designations for adjusting firms shall complete and submit Form 63/64, "Designation of Primary Adjuster for Adjusting Firm," rev. 09/07.</p> <p>Subsections (32) and (33) need to be deleted because the administrative agent designation was repealed in 2003.</p>	
69B-211.0035	Licensure Application Procedure	Add clarifying language.	Rule Development package in process.
69B-211.007	Effective Date of Termination of Appointment	Subsection (1) cites incorrect subsections of the statute. Referring to the statute is unnecessary anyway. Some of the language is redundant of the statute. Subsection (2) has similar problems.	Rule Development package in process.
69B-211.022	Character and Credit Reports Required	Discuss with Division whether to repeal this rule.	It was determined not to repeal or modify this rule.
69B-211.040	Purpose and Scope	Subsection (2) refers to licensure as an "agent, adjuster, sales representative, or other licensure under the Florida Insurance Code." The "other" license categories should be listed as they are in other parts of the rule chapter: customer representative, service representative, managing general agent, and reinsurance intermediary.	Rule Development package in process.
69B-211.041	Definitions	Potential changes by the Division of Insurance Agent and Agency Services.	Rule Development package in process.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69B-211.042	Effect of Law Enforcement Records on Applications for Licensure	Correct statutory citations.	Technical change letters filed 8/29/17 and 3/6/18.
69B-211.043	Effect of Failure to Truthfully Answer Application Questions Regarding an Applicant's Administrative Action History	This subsection is added to reflect the consequences of an applicant making material misrepresentations or misstatements.	Rule Development package with Division as of the end of May 2018.
69B-213.070	Termination of Appointment or Supervision	Review whether subsection (4)(a) should be amended to refer to termination filing Form DFS-H2-39 or through eAppoint . Since 69B-213.060 requires agencies to designate the supervisory agent by filing a form with the Bureau, it would seem that subsection (5) should be amended to require the termination notice to be filed with the Bureau as well. Then all instances in which the subsection refers to "filed" or "filing" will make sense. In (5)(b)1., "agency's primary agent" should be changed to "agent in charge of the agency" since agencies do not have primary agents anymore.	Changes to the Florida Insurance Code in 2018 require rule chapter 69B-213 to be updated; see 2018-2019 rulemaking list.
69B-215.080	Immigration Bonds	Technical change to change the reference from s. 626.015(5) to 626.015(7) because it is the correct reference, and to change the reference from s. 626.611(13) to 626.611(m) because the statute had been renumbered.	Technical change letter to the Department of State 1/23/18.
69B-220	Adjusters	This chapter needs to be updated to reflect changes to Part VI of Chapter 626, F.S., as a result of passage of HB 911.	Changes to the Florida Insurance Code in 2018 require this rule chapter to be updated regarding emergency and apprentice adjusters; see 2018-2019 rulemaking list.
69B-220.051	Conduct of Public Adjusters	Add language to further clarify "prompt notice" of a claim to an insurer.	Notice of Rule Development – Vol. 42, Issue 71; workshop held 4/26/16; comments received. Proposed rulemaking was dropped after the workshop held in 2016.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69B-221	Bail, Bonds, and Bail Bond Agents	Many of the revisions in this chapter are the result of the rule review performed by the OGC, while others are to update the rules to reflect electronic records and modern technology.	Several meetings with Division from March – May 2018.
69B-228	Continuing Education	This chapter needs to be updated to make amendments as a result of passage of HB 925.	It was determined that nothing in HB 925 would necessitate change to 69B-228. The two-hour association credit is clearly articulated in statute and would only require a course and roster filing by the named associations. The new designation is added to an existing list which is simply referenced by the statutory subsection in the rule, with no specific designations listed in the rule. Changes to the Florida Insurance Code in 2018 require this rule chapter to be updated; see 2018-2019 rulemaking list.
69B-231	Penalty Guidelines for Insurance Representatives	This chapter needs to be updated to make amendments as a result of passage of HB 925 in the 2017 legislative session. Revisions are being made to remove references to repealed statutes; to revise the sections to show the correct numbering in the pertinent statutes; and to add new sections to match the addition of new statutes.	Technical change letter to Department of State 4/27/18; Notice of Rule Development – Vol. 44, Issue 149.
69B-231.030	Definitions	The definition of Crimes Involving Moral Turpitude in subsection (5) cross-references Rule 69B-211.042(23) and (24). Rule 69B-211.042 has been amended to delete the list of crimes identified as involving moral turpitude. Delete this subsection.	The changes to this section will be incorporated in the changes to the entire rule chapter due to 2017 legislation.
69C-2.004	Definitions	Confirm all applicable definitions are current, listed, and consistent with information on the DFS website. The form numbers in subsections (1), (3), (5), (6), (9), (10), (13), (14), (16), (17), (18), (21), (23) and (25) need to be changed from the DI4 format to the DFS-J1 format. The revision date for 1004 in subsection (1) should either be deleted or changed to 09/03. Capitalize “instruction” in	Notice of Rule Development is being prepared.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		subsection (10). The title for form 1001, referred to in subsection (18) has been changed to "Collateral Control Agreement Public Deposits Program."	
69C-2.005	Qualifications for Participation by Banks and Savings Associations	Make technical changes to correct format of form numbers. Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program".	Notice of Rule Development is being prepared.
69C-2.006	Administration of Collateral Requirements	Make technical changes to correct format of form numbers. Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program". See (3)(a). Also, in subsection (6), the form numbers have been reversed: 1010 is the certification form number and 1011 is the income payment form number.	Notice of Rule Development is being prepared.
69C-2.007	Eligible Collateral Criteria and Restrictions	Information on the department website should be included in this rule since it contains other eligibility requirements for the use of CD as collateral.	Notice of Rule Development is being prepared.
69C-2.009	Forms	The list of forms needs to be updated, and the form numbers need to be changed.	Notice of Rule Development is being prepared.
69C-2.0095	Electronic Data Transmission of Information, Reports, and Forms	Section 280.05(19), F.S., in the Law Implemented is incorrect. It should be 280.05(16).	Notice of Rule Development is being prepared.
69C-2.010	Additional Reports and Inspections	Due to an amendment to ss. 280.04(2) and 280.05(16), F.S., in 2014, it appears that references to "capital accounts" should be changed to "tangible equity capital". Consult with the Division to verify that subsections (1) and (2) of the rule should be amended.	Notice of Rule Development is being prepared.
69C-2.022	Requirements of Public Depositors	Correct format of form numbers. See subsections (2) and (3). Change revision date for form 1009 to 09/03.	Notice of Rule Development is being prepared.
69C-2.024	Criteria and Guidelines to be Used by the Chief Financial Officer in Administering and Protecting the Integrity of the Public Deposits Program	Due to amendments to s. 280.04, F.S., in 2014, it appears that the percentage levels for determining collateral requirements in this rule need to be amended. Consult with the Division to determine whether the percentage levels need to be amended and whether the rule should refer to percent of "average daily balance of public deposits". Consult with the Division to determine whether Banks and Savings Associations Advisory Committees still exist. If not, this language needs to be amended in subsection (3).	Notice of Rule Development is being prepared.



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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
69C-2.026	Administration of Payment of Losses	Correct the format of the form numbers. See subsections (1) and (4).	Notice of Rule Development is being prepared.
69C-2.028	Ownership of Collateral by an Operating Subsidiary of the Qualified Public Depository	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program". See subsections (2) and (4). Correct format of form numbers.	Notice of Rule Development is being prepared.
69C-2.029	Authorized Agent	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program". See subsection (3). Correct the format of the form number.	Notice of Rule Development is being prepared.
69C-2.030	Use of Agents by Custodians of Collateral	Correct the cross-reference in subsection (1) to 280.02(10), F.S. Correct the format of the form number in subsection (2).	Notice of Rule Development is being prepared.
69C-2.031	Format for Confirmations from Custodians	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program". See subsection (9). Correct the format of the form number.	Notice of Rule Development is being prepared.
69C-2.032	Execution of Forms, Proof of Authorization	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program". See paragraph (1)(b). Correct the format of the form numbers. Update revision dates of forms.	Notice of Rule Development is being prepared.
69C-3.004	Transfer of Funds from an Eligible Fund to an Investment Account	The Division of Treasury would like to update and revise the verbiage for this rule.	Notice of Rule Development - Vol. 41, Issue 136; Notice of Proposed Rule - Vol. 41, Issue 178; Notice of Change – Vol. 43, Issue 229; Effective 2/1/18.
69C-3.006	Transfer of Funds from the Investment Account to an Eligible Fund	The Division of Treasury would like to update and revise the verbiage for this rule.	Notice of Rule Development - Vol. 41, Issue 136; Notice of Proposed Rule - Vol. 41, Issue 178; Notice of Change – Vol. 43, Issue 229; Effective 2/1/18.
69C-4.004	Standard Contracts with Electronic Payment Service Providers	Update to reflect that a new e-payment contract with American Express is now in effect.	On hold pending completion of pending competitive procurement.
69C-6.003	The Plan; Prescribed Forms	Currently, the deferred compensation has university, special district, and water management districts as non-centralized agencies in its program. The Division of Treasury, Bureau of Deferred Compensation, needs to include the parameters to	Notice of Rule Development – Vol. 42, Issue 211.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		allow the non-centralized entities in the program. In addition, Form DFS-J3-1176 (rev. 03/15) will need to be updated. Also, the Bureau would like to change its Investment Policy for Product Selection and Retention; Form DFS-J3-1541.	
69D-2.002	Definitions	Amend definition.	Notice of Rule development – Vol. 43, Issue 222; Notice of Proposed Rule – Vol. 44, Issue 07; Effective 05/08/2018.
69D-2.003	Insurer SIU	Update rule to reflect changes in newly adopted s. 626.9891, F.S.	Notice of Rule development – Vol. 43, Issue 222; Notice of Proposed Rule – Vol. 44, Issue 07; Notice of Change – Vol. 44, Issue 57; Effective 05/08/2018.
69D-2.004	Insurer Anti-Fraud Plans	Repeal rule to reflect changes in newly adopted s. 626.9891, F.S.	Notice of Proposed Rule – Vol. 44, Issue 64; Effective 05/28/2018.
69D-2.005	Compliance and Enforcement.	Update rule to reflect changes in newly adopted s. 626.9891, F.S.	Notice of Rule development – Vol. 43, Issue 222; Notice of Proposed Rule – Vol. 44, Issue 07; Effective 05/08/2018.
69E-121.007	Public Records and Availability of Forms: Procedures for Inspecting and Copying Public Records and for Obtaining Department Forms; Fees	This rule needs to be repealed.	Notice of Proposed Rule – Vol. 43, Issue 214; Effective 1/18/18.
69G-20 (.001, .0011, .0021, .0022, .0026, .036)	Unclaimed Property	The newly created Division of Unclaimed Property is working on a substantial re-write of the entire chapter, which will include renumbering.	Notice of Rule Development – Vol. 43, Issue 105; 2nd Notice of Rule Development – Vol. 43, Issue 151; workshops held; comments received.
69G-20.0030	Claims for United States Savings Bonds	In 2016, the Florida Legislature enacted s. 717.1381, F.S., to provide for a circuit court procedure for escheating to the State of Florida unclaimed United States savings bonds registered in the name of Florida residents. Once the bonds have been escheated to the State of Florida, the DFS may request that the bond	Notice of Rule Development – Vol. 42, Issue 128; Notice of Proposed Rule – Vol. 43, Issue 25; Effective 4/23/17.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		proceeds be remitted to the DFS by the United States Treasury. The Florida Legislature also enacted s. 717.1382, F.S., which provides that the DFS may approve a claim for the escheated bonds upon the claimant providing sufficient proof of the validity of the person's claim. The proposed rule specifies who may receive either the physical U.S. savings bond (where the proceeds thereof have not yet been remitted to the DFS) or the proceeds of the bonds that have been paid by the United States Treasury to the DFS.	
69G-20.041	Division of Unclaimed Property Reporting Instructions	Technical change to adopt the revised Reporting Instructions Manual.	Technical change letter filed 2/19/18.
69H-1.001	Purpose	Update and clarify the purpose of the rule.	After further review, the Division has determined that no revision is necessary.
69H-1.002	Premium Assessments	As part of updates to this entire chapter, clarifications may be needed regarding premium assessments.	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-1.003	Certificate and Other Forms Adopted	Forms need to be updated (some additions, modifications, and deletions).	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-1.004	Renewals	Make updates and clarification to the rule.	After further review, the Division has determined that no revision is necessary.
69H-1.005	Automatic Coverage and Certificates of Coverage	Updates needed to incorporate new process to apply for insurance coverage through the Division's risk management information system.	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-1.006	Losses	Updates needed to incorporate new process to report losses through the Division's risk management information system.	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-1.007	Settlement of Losses	Update and clarify the process for submitting actual cash value and lightning loss information to the Division.	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-1.008	Building Replacement Value	Update and clarify the process for submitting replacement cost information to the Division.	This rule is now scheduled to be revised in the 2018-2019 fiscal year.
69H-2.004	Certificate of Coverage	Amend rule to adopt a form.	Division is updating entire chapter; see 2018-2019 rulemaking.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69H-2.007	Loss Prevention Programs	Amend rule to adopt a form.	Division is updating entire chapter; see 2018-2019 rulemaking.
69I-5	State Financial Assistance	This rule chapter requires updates to language in rule and Form DFS-A2-CL to reflect current dollar thresholds related to the Florida Single Audit Act. Update language in Forms DFS-A2-PD, DFS-A2-NS and DFS-A2-CL to reference current citations in the Code of Federal Regulations. Reflect the following current forms on the Department of State website: Forms DFS-A2-PD, DFS-A2-AR, DFS-A2-AC, DFS-A2-NS, DFS-A2-CL, and DFS-A2-CS	Notice of Rule Development – Vol. 44, Issue 122; Notice of Proposed Rule – Vol. 44, Issue 176. JAPC package routing.
69I-10.082	Forgeries	Amend rule to adopt revised Form DFS-A1-409, which was revised effective 01/14.	On hold.
69I-21.005	Procedure for Processing and Approving Settlement of Claims in Favor of the State	Amend to correct an inconsistency with Rule 69I-21.003 and this rule. 69I-21.003 no longer requires that delinquent accounts receivable be transferred to the Department for collection; rather, the rule requires that the agencies assign the account to a debt collection agency.	See 2018-2019 rulemaking, as this rule will be rolled into amendments to Chapter 69I-21.
69I-69.002	Statement of County Funded Court-Related Functions	Form DFS-A6-693 was revised effective 9/1/12. The rule needs to be amended to reflect the latest form revision date.	On hold.
69J-166.002	Mediation of Commercial Residential Property Insurance Claims	Add clarification that an assignee of an Assignment of Benefits is eligible to request and participate in mediation; revise Forms DFS-I4-2169 and DFS-I0-1159.	Rulemaking is planned but on hold.
69J-166.031	Mediation of Residential Property Insurance Claims	Add clarification that an assignee of an Assignment of Benefits is eligible to request and participate in mediation; revise Forms DFS-I0-2082 and DFS-I0-1159.	Rulemaking is planned but on hold.
69K-___	Board Appointment	New rule to set forth the procedure needed for appointment to the Board of Funeral, Cemetery, and Consumer Services.	On hold.
69K-1.001	List of Approved Forms; Incorporation by Reference	The list of forms needs to be updated.	Notice of Rule Development – Vol. 43, Issue 63; Notice of Proposed Rule – Vol. 43, Issue 126; Notice of Correction - Vol 43, Issue 129; 8/8/17 - JAPC agreed to toll rule to allow Board review. As of 9/2018, JAPC and Department in agreement to keep rule tolled.

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69K-1.001	List of Approved Forms; Incorporation by Reference	Due to the passage of CS/HB 29 making changes throughout chapter 497, F.S., amendments to rules in this chapter will need to be made waiving licensure application and renewal fees for members of the U.S. Armed Forces, their spouses, and honorably discharged veterans (within 24 months of discharge), because applicants are currently required to remit application fees as a precondition to processing an application for licensure and licensees are required to remit nonrefundable renewal fees to maintain licensure. Rule 69K-1.001 adopts the DFS's application and renewal forms and will need to be updated to implement the waiver of application and renewal fees.	In process as of 9/6/18.
69K-5.0016	Preneed License; Financial Requirements	Amended for formatting clean-up; amended to remove the reference to a surety bond being presented to the Board in lieu of a licensee meeting financial requirements for a preneed license.	Notice of Rule Development – Vol. 44, Issue 101; Notice of Proposed Rule – Vol. 44, Issue 111; Notice of Correction – Vol. 44, Issue 134; Notice of Change – Vol. 44, Issue 139; Effective 9/5/18.
69K-5.002	Application for Preneed License	Amend (1)(a) to strike through “DFS-COA-1, effective 2-7-95” and insert “DFS-PNL-1, revised 8/12”. Also strike through “7/01, incorporated herein by reference, effective 6-26-02” and insert “revised 8/12”. Amend (1)(b) to change the fee to \$505. Amend (5) to strike through “moral” in the phrase “good moral character” to conform to s. 497.453(2)(f), F.S. The word “moral” was deleted from the law in 2004. Amend (5)(c) so that the last 2 sentences are flush left. These sentences apply to all 3 paragraphs in the subsection.	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.0021	Application for Preneed License Branch Office License	Amend (1)(a) to strike through “DFS-COAB-12/00, effective 9-18-01,” and insert “DFS-PNLB-1, revised 8/12”. Amend (1)(b) to change the fee from \$150 to \$155 as set forth on the form.	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.0022	Applications for Transfer of a Preneed License	Amend (1)(a) to strike through “DFS-COAT-1, effective 5-13-97,” and insert “DFS-PNLT-1, revised 8/12”. Amend (1)(b) to change the fee from \$100 to \$105 as set	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137;

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		forth on the form. Amend (3) to strike through "moral" in the phrase "good moral character" to conform to s. 497.453(2)(f), F.S. Amend (3)(c) so that the last 2 sentences are flush left. These sentences apply to all 3 paragraphs in the subsection.	8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.0026	Preneed License Renewal	Amend subsection (1) to reflect correct form numbers and dates. In (2)(a) and (b), strike through "COA".	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.009	Regulatory Standards for Evaluating Applications by the Board	The law has been changed to require a cemetery site to contain no less than 30 contiguous acres. Amend (1)(b) to change 15 acres to 30 acres. Amend (2)(a) and (c) to delete "as referenced in Rule 69K-5.002" and replace it with "Form DFS HistS".	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.011	Preneed Sales Agent Renewal	In (1), change "registration" to "appointment". Change s. 497.466(4), F.S., to s. 497.466(7), F.S. In (4), change "registration" to "appointment". Check with the Division regarding form information.	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.
69K-5.013	Procedure for Report of Identification for an Exempt Cemetery	Form DFS-EC-1 has been revised. Delete the effective date and incorporation language since the form is adopted in Rule 69K-1.001.	Notice of Rule Development – Vol. 43, Issue 72; Notice of Proposed Rule – Vol. 43, Issue 137; 8/14/17 - JAPC agreed to toll rule to allow Board review. On 8/27/18, Department requested toll to be lifted and provided draft of Notice of Correction and Change to JAPC.

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
69K-6.002	Care and Maintenance of Existing Cemetery	This rule is redundant of laws implemented.	On hold.
69K-6.004	Safekeeping of Records	The manner of storage of computer files set forth in (2) and (3) are obsolete; amend the rule to update (2) and (3).	On hold.
69K-6.0051	Accounts Receivable Records	The second "sentence" in subsection (1) passes the spell check test but a verb cannot be found in this sentence. Consult with the Division to determine how to amend this provision. This provision probably needs to begin with "Accounts receivable records shall contain..."	On hold.
69K-6.0052	Examination Work Papers	The rulemaking authority cites sections of statutes that provide authority for the Board to adopt rules. However, DFS has authority over financial examinations and has rulemaking authority with regard to examinations. The rulemaking authority should be changed to ss. 497.103(2)(a), (c), (5)(b), 497.161(1)(f), 497.276(3), F.S.	On hold.
69K-6.0054	Written Contracts Required	Amend rule to identify all disclosure requirements of chapter 497, F.S., that are required to be in each form pursuant to subsection (4) of this rule.	On hold.
69K-7.010	Reporting Requirements for Preneed Licensees Utilizing a Surety Bond in Lieu of Maintaining a Trust Fund	Amended to remove the references to a "Letter of Credit" and "gross replacement or wholesale value."	Notice of Rule Development – Vol. 44, Issue 101; Notice of Proposed Rule – Vol. 44, Issue 111; Notice of Correction – Vol. 44, Issue 158; Effective 9/9/18.
69K-7.011	Criteria for Filing a Letter of Credit in Lieu of Maintaining a Trust Fund	Repealed.	Notice of Proposed Rule – Vol. 44, Issue 100; Notice of Correction – Vol. 44, Issue 114; Effective 7/17/18.
69K-7.012	Criteria for Filing a Surety Bond in Lieu of Maintaining a Trust Fund	Due to a change in statute, this rule and Form DFS-C-2 need to be amended to properly reflect s. 497.452, F.S., as opposed to s. 497.461, F.S., in the Rulemaking Authority and Law Implemented sections.	The Office of the Attorney General initiated rulemaking; however, this rule is under the jurisdiction of the Department. The OAG withdrew its rule, and the Department will amend. See 2018-2019 rulemaking list.
69K-11.001	Disciplinary Guidelines	Repeal after adoption of Rule 69K-30.001 amendment.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
			Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.
69K-11.002	Minor Violations; Notice of Non-Compliance	Repeal after adoption of Rule 69K-30.001 amendment.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services. Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.
69K-11.003	Citations for Cemeteries, Preneed Sales, and Monument Establishments	Repeal after adoption of Rule 69K-30.001 amendment.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services. Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.
69K-12.001	Installation of Monuments	Subsection (11), which states that a cemetery cannot require a monument installer to have insurance, is no longer valid. The law implemented, s. 497.278, F.S., was amended in 2010 to allow cemeteries to require any person or firm that delivers, installs, places, or sets a monument to show proof of liability insurance coverage and, if required by law, workers' compensation insurance coverage. Adopt a new rule and forms to implement s. 497.553(6), F.S., regarding changes in ownership and changes in location of monument establishments. This can be corrected by simply deleting the rule because the valid parts of it are redundant of the statute, s. 497.278(3), F.S.	Revised draft of rule in process.
69K-12.002	Procedure for Licensing a Monument Establishment	Form DFS-C-MON1 was revised in 7/2012. The fees set forth in (1)(b) and (c) do not accurately reflect the fees set forth in the application form. In (1)(a), delete "effective 3-3-97" and insert "revised 7/2012." Also insert a hyperlink for people to obtain the form. Amend (1)(b) and (c) to conform to the fees set forth in Form DFS-C-MON1.	Revised draft of rule in process.
69K-21.003	Inspection Criteria (Funeral Establishment)	Language in (1) needs to be modified to require a preparation room to have specific instruments that are properly maintained. Also, there is a typo in	Notice of Rule Development – Vol. 43, Issue 100; Notice of Proposed Rule – Vol. 43, Issue 186;



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RULE NUMBER	TITLE	EXPLANATION	ACTION
		subsection (2); check what the correct statute number should be. Section 497.388, F.S., has never been used. In subsection (3), "Board Office" should be stricken and replaced with "Division".	Effective 11/27/17.
69K-21.008	Notification of Change in Funeral Director in Charge	There are two rules that address changes related to funeral establishments (see 69K-21.055). These rules should be combined, should include the forms that have been adopted to file changes, and should include changes in other information that are required by s. 497.380(12), F.S., that are not referenced in the current rules. Section 497.380(12), F.S., needs to be added to the rulemaking authority and the law implemented.	On hold.
69K-21.009	Disinterment Reporting	The rule should include the form number for the report along with a hyperlink to obtain the form.	On hold.
69K-22.001	Application for Licensure; Consequences of Operating Prior to Licensure	Insert the name and number of the application form and a hyperlink to obtain the form. Subsection (1) states that a license shall be issued to an applicant if the Board or its designee "certifies" that the applicant has met the licensing requirements. The statute only requires that the licensing authority "determine" that the applicant has met the licensing requirements.	On hold.
69K-22.004	Operating Procedures	Subsection 497.606(9)(a), F.S., provides that standards for refrigeration and storage of dead human bodies shall be established by rule. This rule chapter does not establish such standards. Subsection (2) of the rule is redundant of s. 497.606(9)(b), F.S., and should be deleted. Subsection (4) of the rule may be in conflict with 497.606(9)(g), F.S., which states that human remains shall not be placed in a cremation chamber unless the remains are in an alternative container. The rule does not address the requirement in s. 497.606(9)(j), F.S., that cinerator facilities file a periodic report of names of persons cremated, date, and county of death, etc. Amend the rule to add a new subsection (8) to reference applicable form.	On hold.
69K-25.003	License as Temporary Embalmer or Temporary	In subsection (1), strike through "registered" in two places and insert "licensed".	See 2018-2019 rulemaking list.

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<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
	Funeral Director; Manner of Requesting and Fee; Practice Limitations; Expiration		
69K-30.001	Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities	The current disciplinary guidelines need to be updated and more guidelines need to be added as all violations are not currently found in the rule. There is also a need to combine five other rules into this one and repeal the others.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services. Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.
69K-30.0021	Minor Violations and Notice of Noncompliance for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities	Repeal after 69K-30.001 is amended to include all disciplinary guidelines for violations currently in 69K-30.0021.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services. Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.
69K-30.003	Citations for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers	Repeal after 69K-30.001 is amended to include all disciplinary guidelines for violations currently in 69K-30.003.	This rule is under the jurisdiction of the Board of Funeral, Cemetery, and Consumer Services. Rulemaking is being handled through the Office of the Attorney General, with the coordination of the Department.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
	and Establishment, and Cinerator Facilities		
69K-33.001	Requirements Regarding Handling and Storage of Human Remains	Members of the death care industry have raised a question regarding the appropriate covering of human remains prior to and during transport. The Board of Funeral, Cemetery, and Consumer Services will make a determination as to whether to open this matter for rulemaking.	Notice of Rule Development – Vol. 43, Issue 181; Notice of Proposed Rule – Vol. 43, Issue 202; Effective 12/6/17.
69L-3.003	Procedures for Filing Documents	Travelling in conjunction with Rule 69L-3.025.	Division signed off on draft rule on 8/30/18.
69L-3.009	Injuries that Qualify as Grievous Bodily Harm of a Nature that Shocks the Conscience	A new rule is being introduced due to the passage of CS/CS/SB 376, in which subsections (5) and (6) were added to s. 112.1815, F.S. The DFS "shall adopt rules specifying injuries qualifying as grievous bodily harm of a nature that shocks the conscience" for the purposes of establishing for first responders that post-traumatic stress disorder is an occupational disease compensable by workers' compensation benefits.	Notice of Rule Development – Vol. 44, Issue 139. Notice of Rule Development – Vol. 44, Issue 182.
69L-3.025	Forms	HB 613 deleted s. 440.185(3), F.S. (2015), which required reporting injured worker deaths to DWC within 24 hours. Form DFS-F2-DWC-1, which states the reporting requirement that will become obsolete 10/1/16, needs to be changed. The form is adopted in Rule 69L-3.025(1)(a). There is also an interactive PDF DWC-1 form adopted in Rule 69L-3.025(1)(b) which seems to be a duplicate of the (1)(a) form.	Draft rule with Division as of 7/17/18.
69L-5.217	Civil Penalties and Fines	The purpose of this rule change is to reduce the penalties structure for late filing of forms, reports, or documents as required by section 440.38(2)(b), F.S. This change will help prevent self-insured employers from being assessed large penalties for untimely filing of forms, reports, or documents.	Notice of Rule Development – Vol. 44, Issue 133. Notice of Proposed Rule – Vol. 44, Issue 166 Notice of Proposed Rule – Vol. 44, Issue 168 Notice of Correction – Vol. 44, Issue 172 Notice of Change – Vol. 44, Issue 172 JAPC Letter dated 9/10/18.
69L-6.025	Conditional Release of Stop-Work Order and Periodic Payment Agreement	Amend Rule 69L-6.025(4)(b) to reflect that the Department in any one case will not rescind an Order Reinstating Stop-Work Order more than three times (instead of twice).	Notice of Rule Development – Vol. 44, Issue 24; Notice of Proposed Rule – Vol. 44, Issue 74; Notice of Withdrawal – Vol. 44, Issue 76; Notice of Proposed Rule – Vol. 44, Issue 78;

# **ATTACHMENT B -UPDATE TO DEPARTMENT OF FINANCIAL SERVICES' PROPOSED RULES FOR PREVIOUS YEARS**

**69A = State Fire Marshal**

**69B = Insurance Agent and Agency Services**

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**69E = Administration**

**69G = Unclaimed Property**

**69H = Risk Management**

**69I = Accounting and Auditing**

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**69L = Workers' Compensation**

<b>RULE NUMBER</b>	<b>TITLE</b>	<b>EXPLANATION</b>	<b>ACTION</b>
			Effective 6/19/18.
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual	Amend to adopt the 2017 version of the manual.	Notice of Rule Development – Vol 43, Issue 156; Notice of Proposed Rule - Vol. 43, Issue 211; Filed for adoption on 12/15/17; however, not effective until ratified by the Legislature.
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual	Amend to adopt the 2018 version of the manual.	Notice of Rule Development – Vol. 44, Issue 146.
69L-7.100	Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)	Amend to adopt the 2017 version of the manual.	Notice of Rule Development – Vol 43, Issue 156; Notice of Proposed Rule - Vol. 43, Issue 211; Filed for adoption on 12/15/17; however, not effective until ratified by the Legislature.
69L-7.100	Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)	Amend to adopt the 2018 version of the manual.	Notice of Rule Development – Vol. 44, Issue 146.
69L-7.501	Florida Workers' Compensation Reimbursement Manual for Hospitals	Amend to adopt the 2017 version of the manual.	Notice of Rule Development – Vol 43, Issue 156; Notice of Proposed Rule - Vol. 43, Issue 211; Filed for adoption on 12/15/17; however, not effective until ratified by the Legislature.
69L-7.501	Florida Workers' Compensation Reimbursement Manual for Hospitals	Amend to adopt the 2018 version of the manual.	Assigned 9/6/18.
69L-8.071	Materials for use with the Florida Workers'	Amend for updates to incorporated resource materials.	Notice of Rule Development – Vol. 43, Issue 73; Notice of Proposed Rule – Vol. 43, Issue 161;

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RULE NUMBER	TITLE	EXPLANATION	ACTION
	Compensation Health Care Provider Reimbursement Manual		Notice of Change – Vol. 43, Issue 223; Effective 1/18/18.
69L-8.072	Materials for use with the Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers	Amend for updates to incorporated resource materials.	Notice of Rule Development – Vol. 43, Issue 73.
69L-8.073	Materials for use with the Florida Workers' Compensation Hospital Reimbursement Manual	Amend for updates to incorporated resource materials.	Notice of Rule Development – Vol. 43, Issue 73.
69L-8.074	Materials for use throughout Rule Chapter 69L-7, F.A.C.	Amend for updates to incorporate resource materials.	Notice of Rule Development – Vol. 43, Issue 73; Notice of Proposed Rule – Vol. 43, Issue 161; Notice of Change – Vol. 43, Issue 223; Effective 1/18/18.
69L-8.200	Materials for Use with Electronic Data Interchange (EDI) Requirements for Proof of Coverage and Claims (Non-Medical) in Rule Chapter 69L-56, F.A.C.	Proposed new rule.	Draft of rule signed off by Division on 8/30/18.
69L-31	Utilization and Reimbursement Dispute Rules	This is a complete rewrite of the chapter after rule challenges.	Notice of Rule Development – Vol. 44, Issue 24; 2 <sup>nd</sup> Notice of Rule Development – Vol. 44, Issue 94; Notice of Proposed Rule – Vol. 44, Issue 144.
69L-31.006	Consolidation of Petitions	Subsection (2) provides that the timetable for the DFS to render a decision on consolidated petitions is expanded to 120 days rather than the 60-day	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236;

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RULE NUMBER	TITLE	EXPLANATION	ACTION
		requirement contained in the statute at the time of adoption of the rule. The statute was amended in Chapter 2013-141, Laws of Florida, to provide a 120-day timetable for all petitions. Subsection (2) should be deleted or amended to provide a longer timetable for consolidated petitions.	Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.
69L-31.007	Service of Petition on Carrier and Affected Parties	This is a technical correction. Paragraph 69L-7.602(5)(q), referenced in subsection (1), was transferred to 69L-7.710(5)(q). Correct this reference.	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236; Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.
69L-31.008	Computation of Time	Pursuant to an amendment in Chapter 2013-141, Laws of Florida, the 30-day time period referred to in subsection (1) was changed to 45 days. Amend subsection (1) to change 30 to 45 in two places. Paragraph 69L-7.602(5)(q), referenced in subsection (1), was transferred to 69L-7.710(5)(q). Correct this reference.	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236; Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.
69L-31.009	Carrier Response Requirements	Pursuant to an amendment in Chapter 2013-141, Laws of Florida, the 10-day time period referred to in subsection (1) was changed to 30 days. Amend subsection (1) to change 10 to 30 in two places.	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236; Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.
69L-31.012	Joint Stipulation of the Parties	Pursuant to an amendment in Chapter 2013-141, Laws of Florida, the 60-day time period for the DFS to issue a determination was changed to 120 days. Amend the rule to change this 60-day provision to 120 days.	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236; Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.

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RULE NUMBER	TITLE	EXPLANATION	ACTION
69L-31.016	Contractual Reimbursement Agreements	DWC would like to initiate new rulemaking regarding reimbursement disputes where a contract or managed care arrangement is involved.	Notice of Rule Development - Vol. 42, Issue 100; Notice of Proposed Rule – Vol. 42, Issue 236; Notices of Change & Correction – Vol. 43, Issue 85; Rule challenge filed at DOAH 5/23/17; DOAH Order closing file entered 6/18/18; Notice of Withdrawal – Vol. 44, Issue 137.
69L-56	Electronic Data Interchange (EDI) Requirements for Proof of Coverage and Claims (Nonmedical)	This will be a re-write of the entire chapter due to legislative changes.	Draft of rule signed off by Division on 8/30/18.