

Notice of Proposed Rule

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.:RULE TITLES:

65G-4.0026 Tier Waivers

65G-4.0027 Tier One Waiver

65G-4.0028 Tier Two Waiver

65G-4.0029 Tier Three Waiver

65G-4.00291 Tier Four Waiver

PURPOSE AND EFFECT: The purpose of repealing these rules is to delete rules that are obsolete and no longer in use due to the development and utilization of the iBudget system required under s. 393.0662, F.S. These rules are to be repealed because they are no longer supported and no funding is currently attached to the Tier program. Furthermore, the Agency has been directed by the Legislature under Section 21 of Chapter 2015-222, L.O.F. to continue implementation of the iBudget system until the Agency adopts a new allocation algorithm and methodology by final rule pursuant to s. 393.0662, F.S.

SUMMARY: These obsolete rules are being repealed.

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

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upon is the analysis conducted by the Agency to determine whether a SERC was required and the nature of the rules to be repealed.

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

RULEMAKING AUTHORITY: 393.0661(3) FS.

LAW IMPLEMENTED: 393.0661(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: David De La Paz, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512 or david.delapaz@apdcare.org.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David De La Paz, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512 or david.delapaz@apdcare.org

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-4.0026 Tier Waivers.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History–New 3-7-10, Amended 9-28-11, Repealed_____.

65G-4.0027 Tier One Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History–New 3-7-10, Repealed_____.

65G-4.0028 Tier Two Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History–New 3-7-10, Repealed_____.

65G-4.0029 Tier Three Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History–New 3-7-10, Repealed_____.

65G-4.00291 Tier Four Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History–New 3-7-10, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David De La Paz, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbara Palmer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2015