

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health Regulation Committee

BILL: SPB 7062

INTRODUCER: For Consideration by the Health Regulation Committee

SUBJECT: Rulemaking

DATE: March 7, 2011                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	O'Callaghan	Stovall		<b>Pre-meeting</b>
2.				
3.				
4.				
5.				
6.				

**I. Summary:**

The proposed committee bill declares that it is the Legislature's intent to expedite the rulemaking process within the Department of Health (DOH) and the Agency for Health Care Administration (AHCA) by requiring a timely rulemaking process, by streamlining the process for rule development, and by encouraging early and timely participation by interested persons in the process.

The proposed committee bill requires the DOH or the AHCA to submit a report to the Legislature and Governor if a proposed rule by the DOH or the AHCA does not become effective within a certain time after the effective date of an act that requires implementation of the act by that rule.

The proposed committee bill requires the DOH and the AHCA to provide notice of rule development workshops, notice of proposed rulemaking, hearing notices, notice of change to the proposed rule, notice of intent to adopt certain proposed rules, and notice of withdrawal of the proposed rule by the "prominent display" of such notices on the home page of their respective websites. The DOH and the AHCA is required to provide the Department of State with an electronic link to certain notices, a copy of which must be maintained by the Department of State and made available for public inspection.

The proposed committee bill also:

- Requires the DOH and the AHCA to provide a mailing address, telephone number, or email address on its notice of rule development in order to allow a person to request rulemaking updates via email.

- Requires the DOH and the AHCA to provide notice to interested persons via email of any rulemaking notices, if requested.
- Exempts the DOH and the AHCA from the requirement to hold public workshops in various regions of the state.
- Authorizes the DOH and the AHCA to schedule a workshop 7 days after notice of a rule development workshop has been prominently displayed on its website, if a toll-free conference call telephone number has been provided to the public to access the workshop.
- Authorizes a DOH or an AHCA deputy secretary or agency head's designee to approve the agency's intended action on a proposed rule.
- Authorizes the DOH or the AHCA to include in the notice of proposed rulemaking a short sentence summarizing the conclusion reached in the agency's statement of estimated regulatory costs (SERC).
- Authorizes the DOH or the AHCA to base a SERC on good faith cost estimates and provides that these agencies are not required to hire an economic expert to prepare a SERC.
- Authorizes the DOH or the AHCA to provide the Joint Administrative Procedures Committee (JAPC) access to copies of certain documents via an electronic link.
- Prohibits the DOH or the AHCA from suspending a rulemaking proceeding to convene a substantial interest hearing.
- Permits a rule to be modified or withdrawn after adoption and before the rule becomes effective only in response to the Legislature during the rule ratification process or to an objection by the JAPC.
- Requires the DOH and the AHCA to proceed with the rulemaking process after a challenge to the proposed rule has been made.
- Creates a presumption that a person is not a substantially affected person, if the person making a rule challenge has not participated in the rulemaking process, unless the rule challenge is based on a change in the proposed rule.

This proposed committee bill substantially amends the following sections of the Florida Statutes: 120.52, 120.525, 120.54, 120.541, and 120.56.

This proposed committee bill creates an undesignated section of law.

## II. Present Situation:

### The Administrative Procedure Act

Because administrative agencies have been granted extensive investigative, rulemaking, and adjudicating powers, statutes such as the Florida Administrative Procedure Act (APA)<sup>1</sup> have been adopted to provide parties in administrative proceedings with procedural protection and due process.<sup>2</sup> The APA allows individuals who feel that their interests are being, or will be affected, by the preliminary decisions of agencies to challenge those decisions.<sup>3</sup> The central purpose of the APA is to provide the basic fairness that should surround all governmental activity, such as:

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<sup>1</sup> Chapter, 120, F.S.

<sup>2</sup> 2 FLA. JUR 2D *Administrative Law* s. 1 (2011).

<sup>3</sup> Judge Linda M. Rigot, *Administrative Law: A Meaningful Alternative to Circuit Court Litigation*, 75 FLA. B.J. 14, 14 (2001); see also 2 FLA. JUR 2D *Administrative Law* s. 5 (2011).

- The opportunity for adequate and full notice of agency activities;
- The right to present viewpoints and to challenge the views of others;
- The right to develop a record which is capable of court review;
- The right to locate precedent and have it applied; and
- The right to know the factual bases and policy reasons for agency action.<sup>4</sup>

In protecting such rights, the APA establishes specific procedures and timelines for such procedures during the rulemaking process. Currently, all notices are required to be published in the Florida Administrative Weekly (FAW). Materials to be published in the FAW are due to the Secretary of State by 12:00 p.m. on Wednesday of the week prior to the publication in the FAW. The FAW is published on Fridays.<sup>5</sup>

Generally, but not in every instance, a proposed rule goes through the following process before it is formally adopted by an agency:

- 1) The agency publishes a notice of proposed rule development.<sup>6</sup>
- 2) The agency schedules and provides notice of a rule development workshop, upon request by an affected person or at the election of the agency.<sup>7</sup>
- 3) The agency publishes a notice of proposed rulemaking.<sup>8</sup>
- 4) The agency prepares a statement of estimated regulatory costs (SERC).<sup>9</sup>
- 5) The agency schedules and notices a public hearing on the proposed rule, upon request by an affected person or at the election of the agency.<sup>10</sup>
- 6) The agency changes the proposed rule and publishes notice of the change after a hearing or after receiving a letter from the JAPC outlining concerns.<sup>11</sup>
- 7) The agency adopts the rule by filing with the Department of State three certified copies of the rule it proposes to adopt; one copy of any material incorporated by reference in the rule, certified by the agency; a summary of the rule; a summary of any hearings held on the rule; and a detailed written statement of the facts and circumstances justifying the rule.<sup>12</sup>

Agencies are required to formally propose rules to implement an act enacted by the Legislature within 180 days after the effective date of the act, unless the act provides otherwise.<sup>13</sup>

Any person substantially affected by a rule or a proposed rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of delegated legislative authority.<sup>14</sup> The petition seeking an administrative determination must state

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<sup>4</sup> 2 FLA. JUR 2D *Administrative Law* s. 5 (2011) (quoting *Singer Island Civic Ass'n, Inc. v. State Dep't of Environmental Regulation*, 636 So. 2d 723, 725 (Fla. 4th DCA 1994)).

<sup>5</sup> When Friday is observed as a holiday, as designated by s. 110.117, F.S., publication is on the last working day of the week in which the holiday is observed. All materials to be published in the FAW must be received by 12:00 p.m. on Monday, the week prior to publication. See Rule 1B-30.003, F.A.C.

<sup>6</sup> Section 120.54(2)(a), F.S.

<sup>7</sup> Section 120.54(2)(c), F.S.

<sup>8</sup> Section 120.54(3)(a), F.S.

<sup>9</sup> Section 120.54(3)(b)1., F.S. See also s. 120.541, F.S.

<sup>10</sup> Section 120.54(3)(c), F.S.

<sup>11</sup> Section 120.54(3)(d)1., F.S.

<sup>12</sup> Section 120.54(3)(e), F.S.

<sup>13</sup> Section 120.54(1)(b), F.S.

<sup>14</sup> Section 120.56(1), F.S.

with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it, or that the person challenging a proposed rule would be substantially affected by it.<sup>15</sup>

The Division of Administrative Hearings (DOAH), which consists of an independent group of administrative law judges (ALJs), conducts hearings on rule challenges by substantially affected persons.<sup>16</sup> Proceedings by DOAH are conducted like nonjury trials and are governed by ch. 120, F.S.<sup>17</sup>

### ***Analysis of Regulatory Costs***

An agency is encouraged to prepare a SERC prior to the adoption, amendment, or repeal of any rule other than an emergency rule. The SERC must include:<sup>18</sup>

- Whether the proposed rule directly or indirectly is likely to: have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after implementation of the rule; have an adverse impact on business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or increase regulatory costs in excess of \$1 million in the aggregate within 5 years after implementation of the rule;
- A good-faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule;
- A good-faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues;
- A good-faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule;
- An analysis of the impact on small businesses, small counties, and small cities;
- Additional information that the agency determines may be useful; and
- If applicable, a description of any good-faith written proposal submitted for a lower cost regulatory alternative to a proposed rule that substantially accomplishes the objective of the law being implemented, and the agency's response to the alternative.

However, an agency must prepare a SERC of the proposed rule, if:<sup>19</sup>

- A lower cost regulatory alternative to the proposed rule has been submitted to the agency;
- The proposed rule will have an adverse impact on small business; or
- The proposed rule is likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the rule.

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<sup>15</sup> *Id.*

<sup>16</sup> Rigot, *supra* note 3, at 14.

<sup>17</sup> *Id.*

<sup>18</sup> Section 120.541(2), F.S.

<sup>19</sup> Sections 120.541(1)(a) and 120.54(3)(b), F.S.

If the SERC shows that the proposed rule will have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; have an adverse impact on business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule, the proposed rule must be submitted to the Legislature no later than 30 days prior to the next regular legislative session, and it may not take effect until it is ratified by the Legislature.<sup>20</sup>

On January 4, 2011, Governor Rick Scott signed Executive Order No. 11-01, which suspended rulemaking for all agencies under the direction of the Governor and established the Office of Fiscal Accountability and Regulatory Reform (Office). The executive order requires, among other things, the Office to review all rules prior to promulgation as well as agency practices and contracts.<sup>21</sup>

### ***Joint Administrative Procedures Committee***

Within the APA, the responsibility of the Legislature's JAPC is delineated.<sup>22</sup> As a check on legislatively created authority, JAPC examines every proposed rule, unless exempted by law, and may examine existing rules. JAPC examines such rules to determine whether:

- The rule is an invalid exercise of delegated legislative authority;
- The statutory authority for the rule has been repealed;
- The rule reiterates or paraphrases statutory material;
- The rule is in proper form;
- Proper notice was given prior to the rule's adoption and adequate notice was provided of the purpose and effect of the rule;
- The rule is consistent with expressed legislative intent;
- The rule is necessary to accomplish the apparent or expressed objectives of the specific provision of law which the rule implements;
- The rule is a reasonable implementation of the law as it affects persons impacted;
- The rule could be made less complex or more easily comprehensible to the general public;
- A SERC is prepared as required by law and regulatory costs on the regulated persons, county, or city impacted by the rule could be reduced by adoption of a less costly alternative;
- The rule requires additional appropriations; and
- If an emergency rule, is the emergency status justified.<sup>23</sup>

If after review of a proposed rule and any information required from an agency, JAPC objects to the rule, it has 5 days to certify the objection to the agency along with its detailed concerns.

<sup>20</sup> Section 120.541(3), F.S.

<sup>21</sup> The Office of the 45th Governor of Florida Rick Scott, *Governor Rick Scott Fulfills First Campaign Promises to Hold Government Accountable*, available at <http://www.flgov.com/2011/01/04/governor-rick-scott-fulfills-first-campaign-promises-to-hold-government-accountable/> (Last visited on March 4, 2011). Executive Order No. 11-01 is available at [http://www.flgov.com/wp-content/uploads/2011/01/scott.eo\\_one\\_.pdf](http://www.flgov.com/wp-content/uploads/2011/01/scott.eo_one_.pdf) (Last visited on March 4, 2011).

<sup>22</sup> Section 120.545, F.S.

<sup>23</sup> See s. 120.545(1), F.S.

JAPC also notifies the President of the Senate and the Speaker of the House of Representatives of its concerns.<sup>24</sup>

Within 30 to 45 days of receipt of the objection, an agency, depending upon its structure, must do the following:

- If the rule is not in effect, it must notice modifications of the rule that address JAPC's concerns or withdrawal of the rule, or notify JAPC that it refuses to do either.
- If the rule is in effect, it must notice to amend the rule to address JAPC's concerns or to repeal the rule, or to notify JAPC that it refuses to do either.
- If the objection is with the SERC, the agency must prepare a corrected SERC, notice it, and send a copy to JAPC, or notify JAPC that it will not comply.<sup>25</sup>

If an agency refuses to respond within timeframes required for a proposed rule, the rule is considered withdrawn. Any other lack of response is considered a refusal to take action by the agency.<sup>26</sup>

If JAPC objects to a rule, or portion of a rule, and the agency does not begin administrative action consistent with the objection within 60 days after objection or fails to proceed in good faith to complete the action, JAPC makes recommendations to the Legislature for changes in the law, if determined necessary.<sup>27</sup>

An agency is notified of JAPC's vote to introduce legislation. JAPC may request the agency to temporarily suspend the rule or its adoption, pending consideration of proposed legislation during the next regular session of the Legislature.<sup>28</sup> An agency has up to 45 days to respond to JAPC's request to suspend the rule or its adoption. Failure of the agency to respond is considered a refusal to act. Nothing prevents an agency from refusing to take action as requested by JAPC.<sup>29</sup>

If legislation addressing the objections fails to become law, the temporary rule suspensions by an agency expire.<sup>30</sup>

### **The Department of Health**

Section 20.43, F.S., creates the DOH. The DOH is responsible for the state's public health system, which is designed to promote, protect, and improve the health of all people in the state. The mission of the state's public health system is to foster the conditions in which people can be healthy, by assessing state and community health needs and priorities through data collection, epidemiologic studies, and community participation; by developing comprehensive public health policies and objectives aimed at improving the health status of people in the state; and by ensuring essential health care and an environment which enhances the health of the individual

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<sup>24</sup> See s. 120.545(2), F.S.

<sup>25</sup> See s. 120.545(3)(c), F.S.

<sup>26</sup> See s. 120.545(4), (5), and (6), F.S.

<sup>27</sup> See s. 120.545(8), F.S.

<sup>28</sup> See s. 120.545(8)(b)1., F.S.

<sup>29</sup> Section 120.545(8)(b)2., F.S.

<sup>30</sup> Section 120.545(8)(d), F.S.

and the community.<sup>31</sup> The State Surgeon General is the State Health Officer and the head of the DOH.

As of February 2011, the DOH's divisions, programs, and offices with rulemaking responsibilities, have approximately 978 rules. The DOH's Medical Quality Assurance Boards, which are separate rulemaking agencies, have approximately 1,490 rules.<sup>32</sup>

An example of a lengthy rulemaking procedure within the DOH is demonstrated by promulgation of Rule 64B16-26.1032, Florida Administrative Code. Council substitute for House Bill 543 (HB 543) became effective on July 1, 2007. HB 542 requires a pharmacist seeking to administer influenza virus immunizations to adults to be certified to administer influenza virus immunizations pursuant to a certification program approved by the Board of Pharmacy. Rule 64B16-26.1032, Florida Administrative Code, which provides for the "Immunization Administration Certification Application," did not become effective until September 21, 2010, more than 38 months after the law became effective.

### **The Agency for Health Care Administration**

Section 20.42, F.S., creates the AHCA. The AHCA is the chief health policy and planning entity for the state. The AHCA is responsible for health facility licensure, inspection, and regulatory enforcement; investigation of consumer complaints related to health care facilities and managed care plans; the implementation of the certificate of need program; the operation of the Florida Center for Health Information and Policy Analysis; the administration of the Medicaid program; the administration of the contracts with the Florida Healthy Kids Corporation; the certification of health maintenance organizations and prepaid health clinics as set forth in part III of chapter 641; and any other duties prescribed by statute or agreement.<sup>33</sup> The head of the AHCA is the Secretary of Health Care Administration.

As of February 2011, the AHCA has promulgated 625 rules.<sup>34</sup>

An example of a lengthy rulemaking process within AHCA pertains to the development of proposed rule 59A-26.003. In 1999, the Legislature enacted committee substitute for Senate Bill 2214 (SB 2214), which became effective May 7, 1999. SB 2214 created, among other sections of law, s. 400.967(2), F.S., to require the AHCA to develop rules regarding specific criteria, including facility requirements, minimum standards of program development, and quality of care, for Intermediate Care Facilities for Developmentally Disabled Persons. To date, proposed rule 59A-26.003, which is being developed to meet the rulemaking requirements under s. 400.967(2), F.S., has yet to become effective.

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<sup>31</sup> Section 381.001, F.S.

<sup>32</sup> Professional committee staff of the Senate Health Regulation Committee received an email from a DOH representative on February 18, 2011, providing these statistics. A copy of the email is on file with the committee.

<sup>33</sup> Section 20.42, F.S.

<sup>34</sup> Professional committee staff of the Senate Health Regulation Committee received this information via telephone interview with an AHCA representative on February 18, 2011.

### III. Effect of Proposed Changes:

This proposed committee bill seeks to streamline the rulemaking process for the DOH and AHCA. This bill does not change the requirement for the DOH and the AHCA to publish initial notice of rule development in the FAW.

**Section 1** creates an undesignated section of law to declare that it is the Legislature's intent to expedite the rulemaking process within the DOH and the AHCA by requiring a date certain for rules to become effective, by authorizing the use of websites to meet publication requirements under the APA, and by encouraging early and timely participation in the rulemaking process.

**Section 2** amends s. 120.52, F.S., to define the term "prominent display" to mean text in a font larger than, and in a different color than, the surrounding text.

**Section 3** amends s. 120.525, F.S., to require the DOH and the AHCA to provide notice of public meetings, hearings, or workshops by prominent display on the home page of the DOH or the AHCA website, instead of in the FAW. However, the DOH and the AHCA may also elect to provide such notice in the FAW.

**Section 4** amends s. 120.54, F.S., to require the DOH or the AHCA to submit a written report to the Governor, President of the Senate, and Speaker of the House of Representatives if the agency has not adopted a rule to implement an act enacted by the Legislature within 30 days prior to the next general legislative session or within 6 months after the effective date of the act requiring adoption of the rule if the next general session is less than 6 months from the effective date of the act, unless the rule has not become effective because of the Legislature's refusal to ratify the rule. The report must be submitted within 30 days of the required deadline and identify the number and dates of workshops and hearings that have been conducted during the rulemaking process; explain why the rule has not become effective within the required time, including any protests to the proposed rule, or any other relevant information regarding the lack of timeliness of the rule's adoption; and recommend any legislative changes that might be appropriate.

In addition, this section:

- Requires the DOH and the AHCA to provide a mailing address, telephone number, or email address on its notice of rule development in order to allow a person to request rulemaking updates via email.
- Requires the DOH and the AHCA to provide notice to interested persons via email of any rulemaking notices that have been made available to the public, if such persons have requested updates of those notices and provided a current email address. The requirement in s. 120.54(3)(a)3., F.S., that agencies provide notification by mail to anyone who requests notification in that manner, remains unchanged for these two agencies.
- Exempts the DOH and the AHCA from the requirement that each agency must hold public workshops in various regions of the state, which is currently required if a person makes such a request.
- Authorizes the DOH and the AHCA to schedule a workshop 7 days after notice of a rule development workshop has been prominently displayed on its website, if a toll-free conference call telephone number has been provided to the public to access the workshop.



- Authorizes a DOH or an AHCA agency head's designee to approve the agency's intended action on a proposed rule.
- Authorizes the DOH or the AHCA to include in the notice of proposed rulemaking a short sentence summarizing the conclusion reached in the agency's SERC.
- Requires the DOH or the AHCA to provide a notice of proposed rulemaking by display on its website, but not less than 28 days prior to the intended action, and such notice is required to remain on the website until the rule becomes effective or is withdrawn.
- Requires the DOH or the AHCA to provide the Department of State with an electronic link to the website where the notice of proposed rulemaking is displayed and requires the Department of State to maintain a copy of the notice displayed on the website, which must be made available for public inspection.
- Authorizes the DOH or the AHCA to provide notice of the proposed rulemaking via email to persons who request such notice by email and have provided the DOH or the AHCA with a current email address.
- Authorizes the DOH or the AHCA to provide the JAPC access to a copy of the proposed rule and copies of other documents pertaining to the proposed rule via an electronic link.
- Prohibits the DOH or the AHCA from suspending a rulemaking proceeding to convene a substantial interest hearing. As a result, these agencies must proceed with the steps in the rulemaking process, except the rule may not become effective until after an ALJ has issued a decision under s. 120.56(2), F.S.
- Authorizes the DOH or the AHCA to provide a notice of change of the proposed rule via email to persons who request such notice by email and have provided the DOH or the AHCA with a current email address.
- Requires the DOH or the AHCA to display a notice of change on its website at least 21 days prior to the filing of the rule for adoption and such notice is required to be displayed on the website until the rule becomes effective or is withdrawn.
- Requires the DOH or the AHCA to provide the Department of State with an electronic link to the website where the notice of change is displayed and requires the Department of State to maintain a copy of the notice displayed on the website, which must be made available for public inspection.
- Permits a rule to be modified or withdrawn after adoption and before the rule becomes effective only in response to the Legislature during the rule ratification process or to an objection by the JAPC.
- Authorizes a deputy secretary of the DOH or the AHCA to approve of the filing of certain documents with the Department of State, which are required for final adoption of the rule.
- Requires the DOH or the AHCA to provide notice of its withdrawal of a rule by display of the notice on its website.
- Requires the DOH or the AHCA to provide notice of its intent to adopt a rule that is substantively identical to regulations adopted pursuant to federal law in order for the state to implement a federal program by display on its website at least 21 days prior to filing the rule with the Department of State.

This section also makes several technical and conforming changes.

**Section 5** amends s. 120.541, F.S., to authorize the DOH or the AHCA to base a SERC on good faith cost estimates by applying common sense and logic to readily available or obtainable facts.

This section also provides that the DOH or the AHCA is not required to use or hire an economic expert to prepare a SERC, but the involved subject matter experts are to use their best judgment under the circumstances.

**Section 6** amends s. 120.56, F.S., to require the DOH and the AHCA to proceed with the rulemaking process after a petition for administrative determination has been filed to challenge a proposed rule. This section also creates a legal presumption that a person is not a substantially affected person, which is required for standing to challenge a rule, if the person making a rule challenge has not participated in the rulemaking process, unless the rule challenge is based on a change in the proposed rule. A presumption is not created if the person can provide documentary evidence that he or she has attended at least one workshop either in person or electronically or provided written comments or concerns to the DOH or the AHCA during the rulemaking process, or the DOH or the AHCA has determined that the person participated in the rulemaking process prior to the date of the rule challenge.

**Section 7** provides an effective date of July 1, 2011.

**Other Potential Implications:**

At a minimum, the bill, should it become law, would save 32 days during the rulemaking process. Additional time may be saved depending on the number of workshops and hearings that are conducted on the proposed rule and the number of changes that are made to the proposed rule during the rulemaking process.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

**B. Private Sector Impact:**

Persons interested in proposed rules may save on travel expenses by attending workshops via telephone conference calls.

**C. Government Sector Impact:**

The DOH or the AHCA may incur some administrative costs associated with displaying notices on their respective websites, compiling lists of interested persons to send email updates to concerning notices of rulemaking processes, and submitting written reports to the Governor and Legislature if the rulemaking deadlines provided for in the bill are missed.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.