



CHIEF FINANCIAL OFFICER  
**JIMMY PATRONIS**  
STATE OF FLORIDA

November 6, 2018

Jamie Jackson, Chief Attorney  
Joint Administrative Procedures Committee  
680 Pepper Building  
111 W. Madison Street  
Tallahassee, Florida 32399-1400

RECEIVED  
2018 NOV -5 AM 10:56  
OFFICE OF THE  
CHIEF FINANCIAL OFFICER  
PROCEDURES COMMITTEE

RE: Notice of Correction and Change to Rules 69K-5.002, 69K-5.0021, 69K-5.0022, 69K-5.0026, 69K-5.009, 69K-5.011, and 69K-5.013, F.A.C.

Dear Ms. Jackson:

I am writing in response to your June 28, 2018, letter to the Department of Financial Services as the assigned attorney taking over for Pennington Kamm, and providing the update concerning the status of this rulemaking, since it has been tolled, and when the Department anticipates publishing any necessary notices. My comments in response to your letter are below:

**Notice:** A Notice of Correction will be published to address the language that was inadvertently omitted. The proposed language is as follows:

The Agency conducted an economic analysis of the potential impact of the proposed rule amendments and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

**69K-5.0026:** The rulemaking authority citation has been added to the rule text, which will be reflected in the final version for rule adoption.

**69K-5.009(2)(a), (c):** The cross-reference to the rule that incorporates the form, Rule 69K-1.001, F.A.C., has been added to the text.

**69K-5.011(1):** The rule has been revised to reflect both the online electronic renewal application process and paper form renewal application process. The rule text for the paper form process renewal application process now incorporates Form, DFS-PNSR-1, Notice of Approaching Preneed Sales Agents Renewal Date, into this rule.

The concern has been addressed regarding the rule text for the online electronic renewal application process, as the rule has been revised for clarity in response to

FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Megan Kachur • Senior Attorney  
Office of the General Counsel

200 East Gaines Street • Tallahassee, Florida 32399-0333 • Tel 850-413-4165 • Fax 850-488-0697

Email • [Megan.Kachur@MyFloridaCFO.com](mailto:Megan.Kachur@MyFloridaCFO.com)

AFFIRMATIVE ACTION • EQUAL OPPORTUNITY EMPLOYER



CHIEF FINANCIAL OFFICER  
**JIMMY PATRONIS**  
STATE OF FLORIDA

and a new Form, DFS-N1-2179, Preneed Sales Agent (PSA) Online Renewal, was created for the online renewal application process. Screenshot of this process will also be submitted for review, and the two aforementioned forms were incorporated by reference into the rule.

**69K-5.013:** Section 497.287, F.S., has been added as the rulemaking authority to the text, and will be reflected in the final version for rule adoption.

Pursuant to section 497.103(5)(c), F.S., the Department provided notice regarding the revised rule text and incorporated forms to the Division of Funeral, Cemetery, and Consumer Services for review and presentation to the Board of Funeral, Cemetery, and Consumer Services at its August 2, 2018, Board meeting for consideration. The Board voted to approve the revised rule text and forms, and the Department would like to continue the rulemaking process for the above-referenced rules.

Attached is a copy of the Notice of Correction and Notice of Change for Rules 69K-5.002, 69K-5.0021, 69K-5.0022, 69K-5.0026, 69K-5.009, 69K-5.011, and 69K-5.013, F.A.C., together with the documents required by section 120.54(3)(a)4., F.S., published in the *Florida Administrative Register*, Vol. 44, No. 217 on November 6, 2018.

If you have any questions or require any additional information, please feel free to contact me. Thank you for your time and assistance throughout this process.

Sincerely,

/s/ Megan Kachur

Megan Kachur

/Attachments

RECEIVED  
2018 NOV -5 PM 10:56  
FLORIDA DEPARTMENT OF  
FINANCIAL SERVICES

FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Megan Kachur • Senior Attorney  
Office of the General Counsel

200 East Gaines Street • Tallahassee, Florida 32399-0333 • Tel. 850-413-4165 • Fax 850-488-0697

Email • [Megan.Kachur@MyFloridaCFO.com](mailto:Megan.Kachur@MyFloridaCFO.com)

AFFIRMATIVE ACTION • EQUAL OPPORTUNITY EMPLOYER

## Notice of Change/Withdrawal

### DEPARTMENT OF FINANCIAL SERVICES

#### Division of Funeral, Cemetery, and Consumer Services

##### RULE NOS. RULE TITLES:

- 69K-5.002 Application for Preneed License
- 69K-5.0021 Application for Preneed License Branch Office License
- 69K-5.0022 Applications for Transfer of a Preneed License
- 69K-5.0026 Preneed License Renewal
- 69K-5.009 Regulatory Standards for Evaluating Applications by the Board
- 69K-5.011 Preneed Sales Agent Renewal
- 69K-5.013 Procedure for Report of Identification for an Exempt Cemetery

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 137, July 17, 2017 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee. The Summary of Estimated Regulatory Costs and Legislative Ratification has been corrected to include the analysis that was inadvertently omitted. The Agency conducted an economic analysis of the potential impact of the proposed rule amendments and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

RECEIVED  
2018 NOV -6 AM 10:55  
JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE