

March 25, 2014

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-204.003

RULE TITLE: Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow the Department to more effectively manage its food service operations. The proposed rule also corrects a grammatical error.

SUMMARY: Rulemaking was initiated to more effectively manage the Department's food service operations, and to correct a grammatical error.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department has determined that this rule will not have an adverse impact on small business and is not expected to directly or indirectly increase regulatory costs more than \$200,000 within a year of taking effect. A SERC has not been prepared by the Department. The Department has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09 FS

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

RULE IS: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-204.003 Food Services – Standards of Operation.

(1) General. Inmates shall receive three meals per day, ~~of which at least two shall be hot meals~~. The meals shall be provided at regular meal times during each 24-hour period, with a period of no more than 14 hours between the

end of the evening meal and the beginning of the morning meal, weather and security permitting. Holiday substitutions that deviate from the master menu must be approved in advance by the institutional warden, work release center major, or drug treatment center chief correctional officer. Prescribed therapeutic diets shall be available to all inmates with a current diet prescription.

(2) – (6) No change.

(7) Meal attendance for inmates on the vegan meal pattern or a therapeutic diet shall be tracked using Form DC4-668, Diet Attendance Roster., Form DC4-668 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee FL 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01869>. The effective date of the form is 12-12.

(a) – (b) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06, 4-27-09, 3-3-10, 7-18-10, 12-30-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sandra J. Bailey, Director of Procurement & Contract Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 10, 2014