

## Notice of Emergency Rule

### **DEPARTMENT OF HEALTH**

RULE NO.: RULE TITLE:

64ER21-18      Penalties for Public Employee COVID-19 Vaccine Mandates

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to section 112.0441(4), Florida Statutes, the Department is not required to make findings of an immediate danger to the public, health, safety, or welfare as all conditions are deemed met to adopt emergency rules pursuant to section 120.54(4), Florida Statutes.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Pursuant to section 112.0441(4), Florida Statutes, the procedures are deemed fair under the circumstances.

SUMMARY: This rule establishes the procedure for imposing penalties against any governmental entity or educational institution for the violation of section 112.0441, Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Douglas Woodlief at [douglas.woodlief@flhealth.gov](mailto:douglas.woodlief@flhealth.gov).

THE FULL TEXT OF THE EMERGENCY RULE IS:

64ER21-18 Penalties for Public Employee COVID-19 Vaccine Mandates

(1) The Department will issue a notice of violation to any governmental entity or educational institution found in violation of section 112.0441, Florida Statutes, prior to final agency action. Such notice will include hearing rights pursuant to section 120.569, Florida Statutes.

(2) Each violation of section 112.0441, Florida Statutes, will result in the imposition of a \$5,000 fine per individual and separate violation against the governmental entity or the educational institution. Fines imposed are due and payable to the Department within 30 days of entry of the final order unless otherwise stated in the final order.

Rulemaking Authority 112.0441(4), FS. Law Implemented 112.0441, FS. History–New 11-18-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 18, 2021