

**64I-4.003 DOH Procedures for Responding to Complaints and Complaint Referrals Involving Enclosed Indoor Workplaces.**

(1) To report a violation of the Florida Clean Indoor Air Act, the public may call the FCIAA office at 1(800)337-3742 or correspond via e-mail at DHAT\_Tobaccocomplaint@doh.state.fl.us. If mailing a complaint, the FCIAA program office will need the following information: Name of enclosed indoor workplace (where violation is occurring), mailing address, city, and zip code, nature of violation(s), and if possible, the name of the person in charge. Mail to the Division of Health Awareness and Tobacco, 4052 Bald Cypress Way, Bin C23, Tallahassee, FL 32399-1743.

(2) In responding to complaints concerning alleged violations of Section 386.206, F.S., in an enclosed indoor workplace not inspected by the Department of Business and Professional Regulation (DBPR), DOH personnel shall, by certified mail:

(a) Issue a letter of noncompliance to the proprietor or other person in charge of the enclosed indoor workplace indicating that alleged complaints have been received.

(b) Describe the specific violation(s) that pertain to that enclosed indoor workplace.

(c) Describe the remedial action needed.

(d) Require a written response and a copy of the policy regarding smoking prohibition within 21 days of receipt of the notice.

(3) Should the proprietor or other person in charge fail to respond within 21 days of the receipt of the notice or should the department receive an additional complaint thereafter, the Division of Health Awareness and Tobacco shall:

(a) Identify the violation(s) that is reported to have occurred by completing a Request for Inspection Form.

(b) Forward the Request for Inspection Form to the county health department director or administrator in the county where the violation(s) was reported.

(4) Request that county health department personnel conduct an inspection of the enclosed indoor workplace alleged to be in violation upon receipt of the Request for Inspection Form following the inspection guidelines delineated in Rule 64I-4.002, F.A.C.

*Specific Authority 386.207, 386.2125 FS. Law Implemented 381.0012, 386.206, 386.207 FS. History—New 2-27-94, Amended 4-2-96, Formerly 10D-105.010, 64D-1.003, Amended 11-5-02, 8-16-04, Formerly 64E-25.003.*