

**Committee on Children, Families,
And Elder Affairs**

CS/CS/SB 804 — Substance Abuse Services

by Community Affairs Committee; Children, Families, and Elder Affairs Committee; and Senator Harrell

The bill makes several changes to provisions governing the licensure and regulation of substance abuse treatment programs (service provider), including recovery residences.

The bill makes it a third degree felony to falsify information, or to withhold material facts, on an application for licensure as a substance abuse service provider. Substance abuse service providers operated directly by, or under contract with, any state agency must be licensed by the Department of Children and Families (the DCF) and are not currently subject to a penalty for falsification of information or withholding of material facts in an application for licensure.

The bill authorizes the DCF to suspend a service provider's license for failing to pay, within 60 days of a date set by the DCF, administrative fines and accrued interest related to disciplinary action taken against the service provider. The bill also mandates that a service provider pay fines and accrued interest resulting from violations of patient referral prohibitions within 60 days of a date specified by the DCF. If a service provider fails to remit payment within 60 days, the bill requires the DCF to immediately suspend the service provider's license.

The bill also broadens the eligibility for exemption from employment disqualification for certain prior criminal offenses to specified employees of an applicant recovery residence and to applicant recovery residence administrators. This will allow additional qualified individuals with knowledge of, and experience within, recovery residences to be eligible for employment within recovery residences, or as recovery residence administrators.

The bill prohibits certain classes of dwellings that are used as recovery residences from having their occupancy category changed or being reclassified for the purpose of enforcement of the Florida Building Code and for the Florida Fire Prevention Code's requirement for installation of fire sprinklers.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 115-0