

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Children, Families &
 2 Seniors Subcommittee
 3 Representative Hager offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (7) and (32) of section 397.311,
 8 Florida Statutes, are amended, subsections (4) and (5),
 9 subsections (6) through (28), and subsections (29) through (39)
 10 are renumbered as subsections (7) and (8), subsections (10)
 11 through (32), and subsections (35) through (45), respectively,
 12 and new subsections (4), (5), (6), (9), (33), and (34) are added
 13 to that section, to read:

14 397.311 Definitions.—As used in this chapter, except part
 15 VIII, the term: (4) "Certificate of compliance" means a
 16 certificate that is issued by a credentialing entity to a
 17 recovery residence or a recovery residence administrator.

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18 (5) "Certified recovery residence" means a recovery
19 residence that holds a valid certificate of compliance or that
20 is actively managed by a certified recovery residence
21 administrator.

22 (6) "Certified recovery residence administrator" means a
23 recovery residence administrator who holds a valid certificate
24 of compliance.

25 (9) "Credentialing entity" means a nonprofit organization
26 that develops and administers professional, facility or
27 organization certification programs according to applicable
28 nationally recognized certification or psychometric standards.

29 (11)-(7) "Director" means the chief administrative or
30 executive officer of a service provider or recovery residence.

31 (33) "Recovery residence" means a residential dwelling
32 unit, or other form of group housing, that is offered or
33 advertised through any means, including oral, written,
34 electronic, or printed means, by any person or entity as a
35 residence that provides a peer-supported, alcohol-free, and
36 drug-free living environment.

37 (34) "Recovery residence administrator" means the person
38 responsible for overall management of the recovery residence,
39 including, but not limited to, the supervision of residents and
40 staff employed by, or volunteering for, the residence.

41 (38)-(32) "Service component" or "component" means a
42 discrete operational entity within a service provider which is
43 subject to licensing as defined by rule. Service components

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44 include prevention, intervention, and clinical treatment
45 described in subsection (22) ~~(18)~~.

46 Section 2. Section 397.487, Florida Statutes, is created
47 to read:

48 397.487 Voluntary certification of recovery residences.-

49 (1) The Legislature finds that a person suffering from
50 addiction has a higher success rate of achieving long-lasting
51 sobriety when given the opportunity to build a stronger
52 foundation by living in a recovery residence after completing
53 treatment. The Legislature further finds that this state and its
54 subdivisions have a legitimate state interest in protecting
55 these persons, who represent a vulnerable consumer population in
56 need of adequate housing. It is the intent of the Legislature to
57 protect persons who reside in a recovery residence.

58 (2) The department shall approve at least one
59 credentialing entity by December 1, 2015, for the purpose of
60 developing and administering a voluntary certification program
61 for recovery residences. The approved credentialing entity
62 shall:

63 (a) Establish recovery residence certification requirements.

64 (b) Establish procedures to:

65 1. Administer the application, certification,
66 recertification, and disciplinary processes.

67 2. Monitor and inspect a recovery residence and its staff
68 to ensure compliance with certification requirements.

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69 3. Interview and evaluate residents, employees, and
70 volunteer staff on their knowledge and application of
71 certification requirements.

72 (c) Provide training for owners, managers, and staff.

73 (d) Develop a code of ethics.

74 (e) Establish application, inspection, and annual
75 certification renewal fees. The application fee may not exceed
76 \$100. Any onsite inspection fee shall reflect actual costs for
77 inspections. The annual certification renewal fee may not exceed
78 \$100.

79 (3) A credentialing entity shall require the recovery
80 residence to submit the following documents with the completed
81 application and fee:

82 (a) A policy and procedures manual containing:

83 1. Job descriptions for all staff positions.

84 2. Drug-testing procedures and requirements.

85 3. A prohibition on the premises against alcohol, illegal
86 drugs, and the use of prescribed medications by an individual
87 other than the individual for whom the medication is prescribed.

88 4. Policies to support a resident's recovery efforts.

89 5. A good neighbor policy to address neighborhood concerns
90 and complaints.

91 (b) Rules for residents.

92 (c) Copies of all forms provided to residents.

93 (d) Intake procedures.

94 (e) Relapse policy.

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95 (f) Fee schedule.

96 (g) Refund policy.

97 (h) Eviction procedures and policy.

98 (i) Code of ethics.

99 (j) Proof of insurance.

100 (k) Proof of background screening.

101 (l) Proof of satisfactory fire, safety, and health
102 inspections.

103 (4) Upon receiving a complete application, a credentialing
104 entity shall conduct an onsite inspection of the recovery
105 residence.

106 (5) All owners, directors, and chief financial officers of
107 an applicant recovery residence are subject to level 2
108 background screening as provided under chapter 435. The
109 department shall notify the credentialing entity of the results
110 of the background screenings. A credentialing entity shall deny
111 a recovery residence's application if any owner, director, or
112 chief financial officer has been found guilty of, regardless of
113 adjudication, or has entered a plea of nolo contendere or guilty
114 to any offense listed in s. 435.04(2), unless the department has
115 issued an exemption under s. 397.4872.

116 (6) A credentialing entity shall issue a certificate of
117 compliance upon approval of the recovery residence's application
118 and inspection. The certification shall automatically terminate
119 one year after issuance if not renewed.

120 (7) Onsite followup monitoring of any certified recovery

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121 residence may be conducted by the credentialing entity to
122 determine continuing compliance with certification requirements.
123 The credentialing entity shall inspect each certified recovery
124 residence at least annually to ensure compliance.

125 (a) A credentialing entity may suspend or revoke a
126 certification, if the recovery residence is not in compliance
127 with any provision of this section or has failed to remedy any
128 deficiency identified by the credentialing entity within the
129 time period specified.

130 (b) If any owner, director, or chief financial officer of
131 a certified recovery residence is arrested or found guilty of,
132 regardless of adjudication, or has entered a plea of nolo
133 contendere or guilty to any offense listed in s. 435.04(2),
134 while acting in that capacity, the certified recovery residence
135 shall immediately remove the person from that position and shall
136 notify the credentialing entity within 3 business days after
137 such removal. The credentialing entity shall revoke the
138 certificate of compliance of any recovery residence which fails
139 to meet these requirements.

140 (c) A credentialing entity shall revoke a recovery
141 residence's certificate of compliance, if the recovery residence
142 provides false or misleading information to the credentialing
143 entity at any time.

144 (11) A person may not advertise to the public, in any way
145 or by any medium whatsoever, any recovery residence as a
146 "certified recovery residence" unless such recovery residence

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147 has first secured a certificate of compliance under this
148 section. A person who violates this subsection commits a
149 misdemeanor of the first degree, punishable as provided in s.
150 775.082 or s. 775.083.

151 Section 3. Section 397.4871, Florida Statutes, is created
152 to read:

153 397.4871 Recovery residence administrator certification.-

154 (1) It is the intent of the Legislature that a recovery
155 residence administrator voluntarily earn and maintain
156 certification from a credentialing entity approved by the
157 Department of Children and Families. The Legislature further
158 intends that certification ensure that an administrator has the
159 competencies necessary to appropriately respond to the needs of
160 residents, to maintain residence standards, and to meet
161 residence certification requirements.

162 (2) The department shall approve at least one
163 credentialing entity by December 1, 2015, for the purpose of
164 developing and administering a voluntary credentialing program
165 for administrators. The department shall approve any
166 credentialing entity that the department endorses pursuant to s.
167 397.321(16) if the credentialing entity also meets the
168 requirements of this section. The approved credentialing entity
169 shall:

170 (a) Establish recovery residence administrator core
171 competencies, certification requirements, testing instruments,

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172 and recertification requirements according to nationally
173 recognized certification and psychometric standards.

174 (b) Establish a process to administer the certification
175 application, award, and maintenance processes.

176 (c) Develop and administer:

177 1. A code of ethics and disciplinary process.

178 2. Biennial continuing education requirements and annual
179 certification renewal requirements. 3. An education provider
180 program to approve training entities that are qualified to
181 provide precertification training to applicants and continuing
182 education opportunities to certified persons.

183 (3) A credentialing entity shall establish a certification
184 program that:

185 (a) Is established according to nationally recognized
186 certification and psychometric standards.

187 (b) Is directly related to the core competencies.

188 (c) Establishes minimum requirements in each of the
189 following categories:

190 1. Training.

191 2. On-the-job work experience.

192 3. Supervision.

193 4. Testing.

194 5. Biennial continuing education.

195 (d) Requires adherence to a code of ethics and provides
196 for a disciplinary process that applies to certified persons.

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197 (e) Approves qualified training entities that provide
198 precertification training to applicants and continuing education
199 to certified recovery residence administrators. To avoid a
200 conflict of interest, a credentialing entity or its affiliate
201 may not deliver training to an applicant or continuing education
202 to a certificate holder.

203 (4) A credentialing entity shall establish application,
204 examination, and certification fees and an annual certification
205 renewal fee. The application, examination, and certification fee
206 may not exceed \$225. The annual certification renewal fee may
207 not exceed \$100.

208 (5) All applicants are subject to level 2 background
209 screening as provided under chapter 435. The department shall
210 notify the credentialing entity of the results of the background
211 screenings. A credentialing entity shall deny a person's
212 application if the applicant has been found guilty of,
213 regardless of adjudication, or has entered a plea of nolo
214 contendere or guilty to any offense listed in s. 435.04(2),
215 unless the department has issued an exemption under s. 397.4872.

216 (6) The credentialing entity shall issue a certificate of
217 compliance upon approval of a person's application. The
218 certification shall automatically terminate one year after
219 issuance if not renewed.

220 (a) A credentialing entity may suspend or revoke the
221 recovery residence administrator's certificate of compliance if

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222 the recovery residence administrator fails to adhere to the
223 continuing education requirements.

224 (b) If a certified recovery residence administrator of a
225 recovery residence is arrested or found guilty of, regardless of
226 adjudication, or has entered a plea of nolo contendere or guilty
227 to any offense listed in s. 435.04(2), the recovery residence
228 shall immediately remove from that position and shall notify the
229 credentialing entity within 3 business days after such removal.
230 The recovery residence shall have 30 days to retain a certified
231 recovery residence administrator. The credentialing entity shall
232 revoke the certificate of compliance of any recovery residence
233 which fails to meet these requirements.

234 (c) A credentialing entity shall revoke a recovery
235 residence administrator's certificate of compliance, if the
236 recovery residence administrator provides false or misleading
237 information to the credentialing entity at any time.

238 (7) A person may not advertise himself or herself to the
239 public, in any way or by any medium whatsoever, as a "certified
240 recovery residence administrator" unless he or she has first
241 secured a certificate of compliance under this section. A person
242 who violates this subsection commits a misdemeanor of the first
243 degree, punishable as provided in s. 775.082 or s. 775.083.

244 (8) A certified recovery residence administrator may
245 qualify a recovery residence for referrals under s. 397.407(11),
246 if the certified recovery residence administrator:

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247 (a) Registers with the credentialing entity the recovery
248 residence he or she intends to qualify. The registration shall
249 include:

250 1. The name and address of the recovery residence,
251 including the fictitious name, if any, under which the recovery
252 residence is doing business.

253 2. The name of the owners and any officers of the
254 recovery residence.

255 (b) Submits an affidavit attesting that he or she is
256 actively managing the recovery residence and that he or she is
257 not utilizing his or her recovery residence administrator's
258 certification to qualify any additional recovery residences
259 under this subsection.

260 (9) A certified recovery residence administrator must
261 notify the credentialing entity within three business days of
262 the termination of the certified recovery residence
263 administrator's qualification of the recovery residence due to
264 resignation or any other reason.

265 (10) A certified recovery residence administrator may only
266 act as a qualifying agent for one recovery residence at any
267 given time.

268 Section 4. Section 397.4872, Florida Statutes, is created
269 to read:

270 397.4872 Exemption from disqualification; publication.-

271 (1) Individual exemptions to staff disqualification or
272 administrator ineligibility may be requested if a recovery

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273 residence deems the decision will benefit the program. Requests
274 for exemptions shall be submitted in writing to the department
275 and include a justification for the exemption.

276 (2) The department may exempt a person from ss.
277 397.487(7)(d) and 397.4871(7) if it has been at least 3 years
278 since the person has completed or been lawfully released from
279 confinement, supervision, or sanction for the disqualifying
280 offense. An exemption from the disqualifying offenses may not be
281 given under any circumstances for any person who is a:

282 (a) Sexual predator pursuant to s. 775.21;

283 (b) Career offender pursuant to s. 775.261; or

284 (c) Sexual offender pursuant to s. 943.0435, unless the
285 requirement to register as a sexual offender has been removed
286 pursuant to s. 943.04354.

287 (3) By April 1, 2016, a credentialing entity shall submit
288 a list to the department of all recovery residences and recovery
289 residence administrators certified by the credentialing entity
290 that hold a valid certificate of compliance. Thereafter, the
291 credentialing entity must notify the department within 3
292 business days after a new recovery residence or recovery
293 residence administrator is certified or a recovery residence or
294 recovery residence administrator's certificate expires or is
295 terminated. The department shall publish on its website a list
296 of all recovery residences that hold a valid certificate of
297 compliance or that have been qualified pursuant to s.
298 397.4781(10). The department shall also publish on its website a

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299 list of all recovery residence administrators that hold a valid
300 certificate of compliance. A recovery residence or recovery
301 residence administrator shall be excluded from the list if the
302 recovery residence administrator submits a written request to
303 the department.

304 Section 5. Subsections (1) and (5) of section 397.407,
305 Florida Statutes, are amended, and subsection (11) is added to
306 that section, to read:

307 397.407 Licensure process; fees.—

308 (1) The department shall establish by rule the licensure
309 process to include fees and categories of licenses. The rule
310 must prescribe a fee range that is based, at least in part, on
311 the number and complexity of programs listed in s. 397.311(22)
312 ~~397.311(18)~~ which are operated by a licensee. The fees from the
313 licensure of service components are sufficient to cover at least
314 50 percent of the costs of regulating the service components.
315 The department shall specify by rule a fee range for public and
316 privately funded licensed service providers. Fees for privately
317 funded licensed service providers must exceed the fees for
318 publicly funded licensed service providers. During adoption of
319 the rule governing the licensure process and fees, the
320 department shall carefully consider the potential adverse impact
321 on small, not-for-profit service providers.

322 (5) The department may issue probationary, regular, and
323 interim licenses. After adopting the rule governing the
324 licensure process and fees, the department shall issue one

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325 license for each service component that is operated by a service
326 provider and defined in rule pursuant to s. 397.311(22)
327 ~~397.311(18)~~. The license is valid only for the specific service
328 components listed for each specific location identified on the
329 license. The licensed service provider shall apply for a new
330 license at least 60 days before the addition of any service
331 components or 30 days before the relocation of any of its
332 service sites. Provision of service components or delivery of
333 services at a location not identified on the license may be
334 considered an unlicensed operation that authorizes the
335 department to seek an injunction against operation as provided
336 in s. 397.401, in addition to other sanctions authorized by s.
337 397.415. Probationary and regular licenses may be issued only
338 after all required information has been submitted. A license may
339 not be transferred. As used in this subsection, the term
340 "transfer" includes, but is not limited to, the transfer of a
341 majority of the ownership interest in the licensed entity or
342 transfer of responsibilities under the license to another entity
343 by contractual arrangement.

344 (11) Effective July 1, 2016, a service provider licensed
345 under this part may not refer a current or discharged patient to
346 a recovery residence unless the recovery residence holds a valid
347 certificate of compliance as provided in s. 397.487, is actively
348 managed by a certified recovery residence administrator as
349 provided in s. 397.4871, or both, or is owned and operated by a
350 licensed service provider or a licensed service provider's

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351 wholly owned subsidiary. For purposes of this subsection, the
352 term "refer" means to inform a patient by any means about the
353 name, address, or other details of the recovery residence.
354 However, this subsection does not require a licensed service
355 provider to refer any patient to a recovery residence.

356 Section 6. Paragraph (e) of subsection (5) of section
357 212.055, Florida Statutes, is amended to read:

358 212.055 Discretionary sales surtaxes; legislative intent;
359 authorization and use of proceeds.—It is the legislative intent
360 that any authorization for imposition of a discretionary sales
361 surtax shall be published in the Florida Statutes as a
362 subsection of this section, irrespective of the duration of the
363 levy. Each enactment shall specify the types of counties
364 authorized to levy; the rate or rates which may be imposed; the
365 maximum length of time the surtax may be imposed, if any; the
366 procedure which must be followed to secure voter approval, if
367 required; the purpose for which the proceeds may be expended;
368 and such other requirements as the Legislature may provide.
369 Taxable transactions and administrative procedures shall be as
370 provided in s. 212.054.

371 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined
372 in s. 125.011(1) may levy the surtax authorized in this
373 subsection pursuant to an ordinance either approved by
374 extraordinary vote of the county commission or conditioned to
375 take effect only upon approval by a majority vote of the
376 electors of the county voting in a referendum. In a county as

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377 defined in s. 125.011(1), for the purposes of this subsection,
378 "county public general hospital" means a general hospital as
379 defined in s. 395.002 which is owned, operated, maintained, or
380 governed by the county or its agency, authority, or public
381 health trust.

382 (e) A governing board, agency, or authority shall be
383 chartered by the county commission upon this act becoming law.
384 The governing board, agency, or authority shall adopt and
385 implement a health care plan for indigent health care services.
386 The governing board, agency, or authority shall consist of no
387 more than seven and no fewer than five members appointed by the
388 county commission. The members of the governing board, agency,
389 or authority shall be at least 18 years of age and residents of
390 the county. No member may be employed by or affiliated with a
391 health care provider or the public health trust, agency, or
392 authority responsible for the county public general hospital.
393 The following community organizations shall each appoint a
394 representative to a nominating committee: the South Florida
395 Hospital and Healthcare Association, the Miami-Dade County
396 Public Health Trust, the Dade County Medical Association, the
397 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
398 County. This committee shall nominate between 10 and 14 county
399 citizens for the governing board, agency, or authority. The
400 slate shall be presented to the county commission and the county
401 commission shall confirm the top five to seven nominees,
402 depending on the size of the governing board. Until such time as

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403 the governing board, agency, or authority is created, the funds
404 provided for in subparagraph (d)2. shall be placed in a
405 restricted account set aside from other county funds and not
406 disbursed by the county for any other purpose.

407 1. The plan shall divide the county into a minimum of four
408 and maximum of six service areas, with no more than one
409 participant hospital per service area. The county public general
410 hospital shall be designated as the provider for one of the
411 service areas. Services shall be provided through participants'
412 primary acute care facilities.

413 2. The plan and subsequent amendments to it shall fund a
414 defined range of health care services for both indigent persons
415 and the medically poor, including primary care, preventive care,
416 hospital emergency room care, and hospital care necessary to
417 stabilize the patient. For the purposes of this section,
418 "stabilization" means stabilization as defined in s. 397.311(41)
419 ~~397.311(35)~~. Where consistent with these objectives, the plan
420 may include services rendered by physicians, clinics, community
421 hospitals, and alternative delivery sites, as well as at least
422 one regional referral hospital per service area. The plan shall
423 provide that agreements negotiated between the governing board,
424 agency, or authority and providers shall recognize hospitals
425 that render a disproportionate share of indigent care, provide
426 other incentives to promote the delivery of charity care to draw
427 down federal funds where appropriate, and require cost
428 containment, including, but not limited to, case management.

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429 From the funds specified in subparagraphs (d)1. and 2. for
430 indigent health care services, service providers shall receive
431 reimbursement at a Medicaid rate to be determined by the
432 governing board, agency, or authority created pursuant to this
433 paragraph for the initial emergency room visit, and a per-member
434 per-month fee or capitation for those members enrolled in their
435 service area, as compensation for the services rendered
436 following the initial emergency visit. Except for provisions of
437 emergency services, upon determination of eligibility,
438 enrollment shall be deemed to have occurred at the time services
439 were rendered. The provisions for specific reimbursement of
440 emergency services shall be repealed on July 1, 2001, unless
441 otherwise reenacted by the Legislature. The capitation amount or
442 rate shall be determined prior to program implementation by an
443 independent actuarial consultant. In no event shall such
444 reimbursement rates exceed the Medicaid rate. The plan must also
445 provide that any hospitals owned and operated by government
446 entities on or after the effective date of this act must, as a
447 condition of receiving funds under this subsection, afford
448 public access equal to that provided under s. 286.011 as to any
449 meeting of the governing board, agency, or authority the subject
450 of which is budgeting resources for the retention of charity
451 care, as that term is defined in the rules of the Agency for
452 Health Care Administration. The plan shall also include
453 innovative health care programs that provide cost-effective

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454 alternatives to traditional methods of service and delivery
455 funding.

456 3. The plan's benefits shall be made available to all
457 county residents currently eligible to receive health care
458 services as indigents or medically poor as defined in paragraph
459 (4) (d).

460 4. Eligible residents who participate in the health care
461 plan shall receive coverage for a period of 12 months or the
462 period extending from the time of enrollment to the end of the
463 current fiscal year, per enrollment period, whichever is less.

464 5. At the end of each fiscal year, the governing board,
465 agency, or authority shall prepare an audit that reviews the
466 budget of the plan, delivery of services, and quality of
467 services, and makes recommendations to increase the plan's
468 efficiency. The audit shall take into account participant
469 hospital satisfaction with the plan and assess the amount of
470 poststabilization patient transfers requested, and accepted or
471 denied, by the county public general hospital.

472 Section 7. Subsection (6) of section 394.9085, Florida
473 Statutes, is amended to read:

474 394.9085 Behavioral provider liability.—

475 (6) For purposes of this section, the terms
476 "detoxification services," "addictions receiving facility," and
477 "receiving facility" have the same meanings as those provided in
478 ss. 397.311(22) (a) 4. ~~397.311(18) (a) 4.~~, 397.311(22) (a) 1.
479 ~~397.311(18) (a) 1.~~, and 394.455(26), respectively.

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480 Section 8. Subsection (8) of section 397.405, Florida
481 Statutes, is amended to read:

482 397.405 Exemptions from licensure.—The following are
483 exempt from the licensing provisions of this chapter:

484 (8) A legally cognizable church or nonprofit religious
485 organization or denomination providing substance abuse services,
486 including prevention services, which are solely religious,
487 spiritual, or ecclesiastical in nature. A church or nonprofit
488 religious organization or denomination providing any of the
489 licensed service components itemized under s. 397.311(22)
490 ~~397.311(18)~~ is not exempt from substance abuse licensure but
491 retains its exemption with respect to all services which are
492 solely religious, spiritual, or ecclesiastical in nature.

493

494 The exemptions from licensure in this section do not apply to
495 any service provider that receives an appropriation, grant, or
496 contract from the state to operate as a service provider as
497 defined in this chapter or to any substance abuse program
498 regulated pursuant to s. 397.406. Furthermore, this chapter may
499 not be construed to limit the practice of a physician or
500 physician assistant licensed under chapter 458 or chapter 459, a
501 psychologist licensed under chapter 490, a psychotherapist
502 licensed under chapter 491, or an advanced registered nurse
503 practitioner licensed under part I of chapter 464, who provides
504 substance abuse treatment, so long as the physician, physician
505 assistant, psychologist, psychotherapist, or advanced registered

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506 nurse practitioner does not represent to the public that he or
507 she is a licensed service provider and does not provide services
508 to individuals pursuant to part V of this chapter. Failure to
509 comply with any requirement necessary to maintain an exempt
510 status under this section is a misdemeanor of the first degree,
511 punishable as provided in s. 775.082 or s. 775.083.

512 Section 9. Section 397.416, Florida Statutes, is amended
513 to read:

514 397.416 Substance abuse treatment services; qualified
515 professional.—Notwithstanding any other provision of law, a
516 person who was certified through a certification process
517 recognized by the former Department of Health and Rehabilitative
518 Services before January 1, 1995, may perform the duties of a
519 qualified professional with respect to substance abuse treatment
520 services as defined in this chapter, and need not meet the
521 certification requirements contained in s. 397.311(30)
522 ~~397.311(26)~~.

523 Section 10. Paragraphs (d) and (g) of subsection (1) of
524 section 440.102, Florida Statutes, are amended to read:

525 440.102 Drug-free workplace program requirements.—The
526 following provisions apply to a drug-free workplace program
527 implemented pursuant to law or to rules adopted by the Agency
528 for Health Care Administration:

529 (1) DEFINITIONS.—Except where the context otherwise
530 requires, as used in this act:

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531 (d) "Drug rehabilitation program" means a service
532 provider, established pursuant to s. 397.311(39) ~~397.311(33)~~,
533 that provides confidential, timely, and expert identification,
534 assessment, and resolution of employee drug abuse.

535 (g) "Employee assistance program" means an established
536 program capable of providing expert assessment of employee
537 personal concerns; confidential and timely identification
538 services with regard to employee drug abuse; referrals of
539 employees for appropriate diagnosis, treatment, and assistance;
540 and followup services for employees who participate in the
541 program or require monitoring after returning to work. If, in
542 addition to the above activities, an employee assistance program
543 provides diagnostic and treatment services, these services shall
544 in all cases be provided by service providers pursuant to s.
545 397.311(39) ~~397.311(33)~~.

546 Section 11. This act shall take effect July 1, 2015.

547 -----
548
549 **T I T L E A M E N D M E N T**

550 Remove everything before the enacting clause and insert:

551 A bill to be entitled

552 An act relating to substance abuse services; amending s.
553 397.311, F.S.; providing definitions; conforming a cross-
554 reference; creating s. 397.487, F.S.; providing legislative
555 findings and intent; requiring the Department of Children
556 and Families to create a voluntary certification program

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557 for recovery residences; directing the department to
558 approve at least one credentialing entity by a specified
559 date to develop and administer the certification program;
560 requiring an approved credentialing entity to establish
561 procedures for certifying recovery residences that meet
562 certain qualifications; requiring an approved credentialing
563 entity to establish certain fees; requiring a credentialing
564 entity to conduct onsite inspections of a recovery
565 residence; requiring background screening of owners,
566 directors and chief financial officers of a recovery
567 residence; providing for denial, suspension, or revocation
568 of certification; providing a criminal penalty for falsely
569 advertising a recovery residence as a "certified recovery
570 residence"; creating s. 397.4871, F.S.; providing
571 legislative intent; requiring the department to create a
572 voluntary certification program for recovery residence
573 administrators; directing the department to approve at
574 least one credentialing entity by a specified date to
575 develop and administer the certification program; requiring
576 an approved credentialing entity to establish a process for
577 certifying recovery residence administrators who meet
578 certain qualifications; requiring an approved credentialing
579 entity to establish certain fees; requiring background
580 screening of applicants for recovery residence
581 administrator certification; providing for suspension or
582 revocation of certification; providing a criminal penalty

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583 for falsely advertising oneself as a "certified recovery
584 residence administrator"; creating s. 397.4872, F.S.;
585 providing exemptions from disqualifying offenses; requiring
586 credentialing entities to provide the department with a
587 list of all certified recovery residences and recovery
588 residence administrators by a date certain; requiring the
589 department to publish the list on its website; allowing
590 recovery residences and recovery residence administrators
591 to be excluded from the list upon written request to the
592 department; amending s. 397.407, F.S.; providing conditions
593 for a licensed service provider to refer patients to a
594 certified recovery residence or a recovery residence owned
595 and operated by the licensed service provider; defining the
596 term "refer"; amending ss. 212.055, 394.9085, 397.405,
597 397.416, and 440.102, F.S.; conforming cross-references;
598 providing an effective date.
599