

1 A bill to be entitled
2 An act relating to substance abuse services; amending
3 s. 394.4572, F.S.; authorizing the Department of
4 Children and Families and the Agency for Health Care
5 Administration to grant exemptions from
6 disqualification for certain service provider
7 personnel; amending s. 397.311, F.S.; redefining the
8 terms "clinical supervisor" and "recovery residence";
9 defining the terms "clinical services supervisor,"
10 "clinical director," and "peer specialist"; amending
11 s. 397.4073, F.S.; requiring individuals screened on
12 or after a specified date to undergo specified
13 background screening; requiring the department to
14 grant or deny a request for an exemption from
15 qualification within a certain timeframe; authorizing
16 certain applicants for an exemption to work under the
17 supervision of certain persons for a specified period
18 of time while his or her application is pending;
19 authorizing certain persons to be exempt from
20 disqualification from employment; authorizing the
21 department to grant exemptions from disqualification
22 for service provider personnel to work solely in
23 certain treatment programs, treatment facilities, or
24 recovery residences; amending s. 397.4075, F.S.;
25 increasing the criminal penalty for certain unlawful

26 | activities relating to personnel; providing a criminal
27 | penalty for inaccurately disclosing certain facts in
28 | an application for licensure; creating s. 397.417,
29 | F.S.; authorizing an individual to seek certification
30 | as a peer specialist if he or she meets certain
31 | requirements; requiring the department to approve one
32 | or more third-party credentialing entities for
33 | specified purposes; requiring the credentialing entity
34 | to demonstrate compliance with certain standards in
35 | order to be approved by the department; requiring an
36 | individual providing department-funded recovery
37 | support services as a peer specialist to be certified;
38 | authorizing an individual who is not certified to
39 | provide recovery support services as a peer specialist
40 | under certain circumstances; prohibiting an individual
41 | who is not a certified peer specialist from
42 | advertising or providing recovery services unless the
43 | person is exempt; providing criminal penalties;
44 | amending s. 397.487, F.S.; revising legislative
45 | findings relating to voluntary certification of
46 | recovery residences; revising background screening
47 | requirements for owners, directors, and chief
48 | financial officers of recovery residences; amending s.
49 | 397.4873, F.S.; expanding the exceptions to
50 | limitations on referrals by recovery residences to

51 licensed service providers; amending s. 397.55, F.S.;
52 revising the requirements for a service provider,
53 operator of a recovery residence, or certain third
54 parties to enter into certain contracts with marketing
55 providers; amending s. 435.07, F.S.; authorizing the
56 exemption of certain persons from disqualification
57 from employment; amending s. 553.80, F.S.; requiring
58 that a single-family or two-family dwelling used as a
59 recovery residence be deemed a single-family or two-
60 family dwelling for purposes of the Florida Building
61 Code; amending s. 633.206, F.S.; requiring the
62 Department of Financial Services to establish uniform
63 firesafety standards for recovery residences;
64 exempting a single-family or two-family dwelling used
65 as a recovery residence from the uniform firesafety
66 standards; requiring that such dwellings be deemed a
67 single-family or two-family dwelling for purposes of
68 the Life Safety Code and the Florida Fire Prevention
69 Code; amending ss. 212.055, 397.416, and 440.102,
70 F.S.; conforming cross-references; providing an
71 effective date.

72
73 Be It Enacted by the Legislature of the State of Florida:

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75 Section 1. Subsection (2) of section 394.4572, Florida

76 Statutes, is amended to read:

77 394.4572 Screening of mental health personnel.—

78 (2) (a) The department or the Agency for Health Care
79 Administration may grant exemptions from disqualification as
80 provided in chapter 435.

81 (b) The department or the Agency for Health Care
82 Administration, as applicable, may grant exemptions from
83 disqualification for service provider personnel to work solely
84 in mental health treatment programs or facilities, or in
85 programs or facilities that treat co-occurring substance use and
86 mental health disorders.

87 Section 2. Subsections (30) through (49) of section
88 397.311, Florida Statutes, are renumbered as subsections (31)
89 through (50), respectively, subsection (8) and present
90 subsection (37) of that section are amended, and subsection (30)
91 is added to that section, to read:

92 397.311 Definitions.—As used in this chapter, except part
93 VIII, the term:

94 (8) "Clinical supervisor," "clinical services supervisor,"
95 or "clinical director" means a person who meets the requirements
96 of a qualified professional and who manages personnel who
97 provide direct clinical services, or who maintains lead
98 responsibility for the overall coordination and provision of
99 clinical services treatment.

100 (30) "Peer specialist" means a person who has been in

101 recovery from a substance use disorder or mental illness for at
102 least 2 years and who uses his or her personal experience to
103 provide services in behavioral health settings and support
104 others in their recovery, or a person who has at least 2 years
105 of experience as a family member or caregiver of an individual
106 who has a substance use disorder or mental illness. The term
107 does not include a qualified professional or a person otherwise
108 certified under chapter 394 or this chapter.

109 ~~(38)~~~~(37)~~ "Recovery residence" means a residential dwelling
110 unit, or other form of group housing, including group housing
111 that is part of any licensable community housing component
112 established by rule or statute, which ~~that~~ is offered or
113 advertised through any means, including oral, written,
114 electronic, or printed means, by any person or entity as a
115 residence that provides a peer-supported, alcohol-free, and
116 drug-free living environment.

117 Section 3. Paragraphs (a), (f), and (g) of subsection (1)
118 and subsection (4) of section 397.4073, Florida Statutes, are
119 amended to read:

120 397.4073 Background checks of service provider personnel.—

121 (1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND
122 EXCEPTIONS.—

123 (a) For all individuals screened on or after July 1, 2019,
124 background checks shall apply as follows:

125 1. All owners, directors, chief financial officers, and

126 clinical supervisors of service providers are subject to level 2
127 background screening as provided under s. 408.809 and chapter
128 435. Inmate substance abuse programs operated directly or under
129 contract with the Department of Corrections are exempt from this
130 requirement.

131 2. All service provider personnel who have direct contact
132 with children receiving services or with adults who are
133 developmentally disabled receiving services are subject to level
134 2 background screening as provided under s. 408.809 and chapter
135 435.

136 3. All peer specialists who have direct contact with
137 individuals receiving services are subject to level 2 background
138 screening as provided under s. 408.809 and chapter 435.

139 (f) Service provider personnel who request an exemption
140 from disqualification must submit the request within 30 days
141 after being notified of the disqualification. The department
142 shall grant or deny the request within 60 days after receipt of
143 a complete application.

144 (g) If 5 years or more have elapsed since an applicant for
145 an exemption from disqualification has completed or has been
146 lawfully released from confinement, supervision, or a
147 nonmonetary condition imposed by a court for the applicant's
148 most recent disqualifying offense, the applicant may work with
149 adults with substance use disorders or co-occurring disorders
150 under the supervision of persons who meet all personnel

151 requirements of this chapter for up to 90 days after being
152 notified of his or her disqualification or until the department
153 makes a final determination regarding his or her request for an
154 exemption from disqualification, whichever is earlier ~~the most~~
155 ~~recent disqualifying offense, service provider personnel may~~
156 ~~work with adults with substance use disorders under the~~
157 ~~supervision of a qualified professional licensed under chapter~~
158 ~~490 or chapter 491 or a master's level certified addictions~~
159 ~~professional until the agency makes a final determination~~
160 ~~regarding the request for an exemption from disqualification.~~

161 (h) ~~(g)~~ The department may not issue a regular license to
162 any service provider that fails to provide proof that background
163 screening information has been submitted in accordance with
164 chapter 435.

165 (4) EXEMPTIONS FROM DISQUALIFICATION.—

166 (a) The department may grant to any service provider
167 personnel an exemption from disqualification as provided in s.
168 435.07.

169 (b) Since rehabilitated substance abuse impaired persons
170 are effective in the successful treatment and rehabilitation of
171 individuals with substance use disorders, for service providers
172 which treat adolescents 13 years of age and older, service
173 provider personnel whose background checks indicate crimes under
174 s. 796.07(2)(e), s. 810.02(4), s. 812.014(2)(c), s. 817.563, s.
175 831.01, s. 831.02, s. 893.13, or s. 893.147, and any related

176 criminal attempt, solicitation, or conspiracy under s. 777.04,
177 may be exempted from disqualification from employment pursuant
178 to this paragraph.

179 (c) The department may grant exemptions from
180 disqualification for service provider personnel to work solely
181 in substance use disorder treatment programs, treatment
182 facilities, or recovery residences or in programs or facilities
183 that treat co-occurring substance use and mental health
184 disorders. The department may further limit such ~~grant~~
185 exemptions from disqualification ~~which would limit service~~
186 ~~provider personnel~~ to working with adults in substance abuse
187 treatment facilities.

188 Section 4. Section 397.4075, Florida Statutes, is amended
189 to read:

190 397.4075 Unlawful activities relating to personnel;
191 penalties.—It is a felony of the third ~~misdemeanor of the first~~
192 degree, punishable as provided in s. 775.082 or s. 775.083, for
193 any person willfully, knowingly, or intentionally to:

194 (1) Inaccurately disclose by false statement,
195 misrepresentation, impersonation, or other fraudulent means, or
196 fail to disclose, in any application for licensure or voluntary
197 or paid employment, any fact which is material in making a
198 determination as to the person's qualifications to be an owner,
199 a director, a volunteer, or other personnel of a service
200 provider;

201 (2) Operate or attempt to operate as a service provider
202 with personnel who are in noncompliance with the minimum
203 standards contained in this chapter; or

204 (3) Use or release any criminal or juvenile information
205 obtained under this chapter for any purpose other than
206 background checks of personnel for employment.

207 Section 5. Section 397.417, Florida Statutes, is created
208 to read:

209 397.417 Peer specialists.-

210 (1) An individual may seek certification as a peer
211 specialist if he or she has been in recovery from a substance
212 use disorder or mental illness for at least 2 years, or if he or
213 she has at least 2 years of experience as a family member or
214 caregiver of a person who has a substance use disorder or mental
215 illness.

216 (2) The department shall approve one or more third-party
217 credentialing entities for the purposes of certifying peer
218 specialists, approving training programs for individuals seeking
219 certification as peer specialists, approving continuing
220 education programs, and establishing the minimum requirements
221 and standards that applicants must achieve to maintain
222 certification. To obtain approval, the third-party credentialing
223 entity must demonstrate compliance with nationally recognized
224 standards for developing and administering professional
225 certification programs to certify peer specialists.

226 (3) An individual providing department-funded recovery
227 support services as a peer specialist shall be certified
228 pursuant to subsection (2). An individual who is not certified
229 may provide recovery support services as a peer specialist for
230 up to 1 year if he or she is working toward certification and is
231 supervised by a qualified professional or by a certified peer
232 specialist who has at least 3 years of full-time experience as a
233 peer specialist at a licensed behavioral health organization.

234 (4) An individual who is not a certified peer specialist
235 may not advertise recovery services to the public in any way, or
236 by any medium, or provide recovery services as a peer
237 specialist, unless the person is exempt under subsection (3).
238 Any individual who violates this subsection commits a
239 misdemeanor of the first degree, punishable as provided in s.
240 775.082 or s. 775.083.

241 Section 6. Subsections (1) and (6) of section 397.487,
242 Florida Statutes, are amended to read:

243 397.487 Voluntary certification of recovery residences.—

244 (1) The Legislature finds that a person suffering from
245 addiction has a higher success rate of achieving long-lasting
246 sobriety when given the opportunity to build a stronger
247 foundation by living in a recovery residence while receiving
248 treatment or after completing treatment. The Legislature further
249 finds that this state and its subdivisions have a legitimate
250 state interest in protecting these persons, who represent a

251 vulnerable consumer population in need of adequate housing. It
252 is the intent of the Legislature to protect persons who reside
253 in a recovery residence.

254 (6) All owners, directors, and chief financial officers of
255 an applicant recovery residence are subject to level 2
256 background screening as provided under s. 408.809 and chapter
257 435. A recovery residence is ineligible for certification, and a
258 credentialing entity shall deny a recovery residence's
259 application, if any owner, director, or chief financial officer
260 has been found guilty of, or has entered a plea of guilty or
261 nolo contendere to, regardless of adjudication, any offense
262 listed in s. 408.809(4) or s. 435.04(2) unless the department
263 has issued an exemption under s. 397.4073 or s. 397.4872. In
264 accordance with s. 435.04, the department shall notify the
265 credentialing agency of an owner's, director's, or chief
266 financial officer's eligibility based on the results of his or
267 her background screening.

268 Section 7. Paragraph (d) is added to subsection (2) of
269 section 397.4873, Florida Statutes, and subsection (1) of that
270 section is republished, to read:

271 397.4873 Referrals to or from recovery residences;
272 prohibitions; penalties.—

273 (1) A service provider licensed under this part may not
274 make a referral of a prospective, current, or discharged patient
275 to, or accept a referral of such a patient from, a recovery

276 residence unless the recovery residence holds a valid
277 certificate of compliance as provided in s. 397.487 and is
278 actively managed by a certified recovery residence administrator
279 as provided in s. 397.4871.

280 (2) Subsection (1) does not apply to:

281 (d) Referrals made by a licensed service provider to a
282 recovery residence that has no direct or indirect financial or
283 other referral relationship with the referring provider and that
284 is democratically operated by its residents pursuant to a
285 charter from an entity recognized or sanctioned by Congress, and
286 where the residence or any resident of the residence does not
287 receive a benefit, directly or indirectly, for the referral.

288 Section 8. Paragraph (d) of subsection (1) of section
289 397.55, Florida Statutes, is amended to read:

290 397.55 Prohibition of deceptive marketing practices.—

291 (1) The Legislature recognizes that consumers of substance
292 abuse treatment have disabling conditions and that such
293 consumers and their families are vulnerable and at risk of being
294 easily victimized by fraudulent marketing practices that
295 adversely impact the delivery of health care. To protect the
296 health, safety, and welfare of this vulnerable population, a
297 service provider, an operator of a recovery residence, or a
298 third party who provides any form of advertising or marketing
299 services to a service provider or an operator of a recovery
300 residence may not engage in any of the following marketing

301 practices:

302 (d) Entering into a contract with a marketing provider who
 303 agrees to generate referrals or leads for the placement of
 304 patients with a service provider or in a recovery residence
 305 through a call center or a web-based presence, unless the
 306 contract requires such agreement and the marketing provider
 307 ~~service provider or the operator of the recovery residence~~
 308 discloses the following to the prospective patient so that the
 309 patient can make an informed health care decision:

310 1. Information about the specific licensed service
 311 providers or recovery residences that are represented by the
 312 marketing provider and pay a fee to the marketing provider,
 313 including the identity of such service providers or recovery
 314 residences; and

315 2. Clear and concise instructions that allow the
 316 prospective patient to easily access lists of licensed service
 317 providers and recovery residences on the department website.

318 Section 9. Subsection (2) of section 435.07, Florida
 319 Statutes, is amended to read:

320 435.07 Exemptions from disqualification.—Unless otherwise
 321 provided by law, the provisions of this section apply to
 322 exemptions from disqualification for disqualifying offenses
 323 revealed pursuant to background screenings required under this
 324 chapter, regardless of whether those disqualifying offenses are
 325 listed in this chapter or other laws.

326 (2) Persons employed, or applicants for employment, by
327 treatment providers who treat adolescents 13 years of age and
328 older who are disqualified from employment solely because of
329 crimes under s. 796.07(2)(e), s. 810.02(4), s. 812.014(2)(c), s.
330 817.563, s. 831.01, s. 831.02, s. 893.13, or s. 893.147, or any
331 related criminal attempt, solicitation, or conspiracy under s.
332 777.04, may be exempted from disqualification from employment
333 pursuant to this chapter without application of the waiting
334 period in subparagraph (1)(a)1.

335 Section 10. Subsection (9) is added to section 553.80,
336 Florida Statutes, to read:

337 553.80 Enforcement.—

338 (9) If a single-family or two-family dwelling is used as a
339 recovery residence, as defined in s. 397.311, such dwelling
340 shall be deemed a single-family or two-family dwelling for
341 purposes of the Florida Building Code.

342 Section 11. Paragraph (b) of subsection (1) of section
343 633.206, Florida Statutes, is amended, and subsection (5) is
344 added to that section, to read:

345 633.206 Uniform firesafety standards—The Legislature
346 hereby determines that to protect the public health, safety, and
347 welfare it is necessary to provide for firesafety standards
348 governing the construction and utilization of certain buildings
349 and structures. The Legislature further determines that certain
350 buildings or structures, due to their specialized use or to the

351 special characteristics of the person utilizing or occupying
352 these buildings or structures, should be subject to firesafety
353 standards reflecting these special needs as may be appropriate.

354 (1) The department shall establish uniform firesafety
355 standards that apply to:

356 (b) All new, existing, and proposed hospitals, nursing
357 homes, assisted living facilities, adult family-care homes,
358 recovery residences, correctional facilities, public schools,
359 transient public lodging establishments, public food service
360 establishments, elevators, migrant labor camps, mobile home
361 parks, lodging parks, recreational vehicle parks, recreational
362 camps, residential and nonresidential child care facilities,
363 facilities for the developmentally disabled, motion picture and
364 television special effects productions, tunnels, and self-
365 service gasoline stations, of which standards the State Fire
366 Marshal is the final administrative interpreting authority.

367
368 In the event there is a dispute between the owners of the
369 buildings specified in paragraph (b) and a local authority
370 requiring a more stringent uniform firesafety standard for
371 sprinkler systems, the State Fire Marshal shall be the final
372 administrative interpreting authority and the State Fire
373 Marshal's interpretation regarding the uniform firesafety
374 standards shall be considered final agency action.

375 (5) If a single-family or two-family dwelling is used as a

376 recovery residence, as defined in s. 397.311, such dwelling is
377 exempt from the uniform firesafety standards for recovery
378 residences and shall be deemed a single-family or two-family
379 dwelling for purposes of the Life Safety Code and the Florida
380 Fire Prevention Code.

381 Section 12. Paragraph (e) of subsection (5) of section
382 212.055, Florida Statutes, is amended to read:

383 212.055 Discretionary sales surtaxes; legislative intent;
384 authorization and use of proceeds.—It is the legislative intent
385 that any authorization for imposition of a discretionary sales
386 surtax shall be published in the Florida Statutes as a
387 subsection of this section, irrespective of the duration of the
388 levy. Each enactment shall specify the types of counties
389 authorized to levy; the rate or rates which may be imposed; the
390 maximum length of time the surtax may be imposed, if any; the
391 procedure which must be followed to secure voter approval, if
392 required; the purpose for which the proceeds may be expended;
393 and such other requirements as the Legislature may provide.
394 Taxable transactions and administrative procedures shall be as
395 provided in s. 212.054.

396 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined
397 in s. 125.011(1) may levy the surtax authorized in this
398 subsection pursuant to an ordinance either approved by
399 extraordinary vote of the county commission or conditioned to
400 take effect only upon approval by a majority vote of the

401 electors of the county voting in a referendum. In a county as
402 defined in s. 125.011(1), for the purposes of this subsection,
403 "county public general hospital" means a general hospital as
404 defined in s. 395.002 which is owned, operated, maintained, or
405 governed by the county or its agency, authority, or public
406 health trust.

407 (e) A governing board, agency, or authority shall be
408 chartered by the county commission upon this act becoming law.
409 The governing board, agency, or authority shall adopt and
410 implement a health care plan for indigent health care services.
411 The governing board, agency, or authority shall consist of no
412 more than seven and no fewer than five members appointed by the
413 county commission. The members of the governing board, agency,
414 or authority shall be at least 18 years of age and residents of
415 the county. No member may be employed by or affiliated with a
416 health care provider or the public health trust, agency, or
417 authority responsible for the county public general hospital.
418 The following community organizations shall each appoint a
419 representative to a nominating committee: the South Florida
420 Hospital and Healthcare Association, the Miami-Dade County
421 Public Health Trust, the Dade County Medical Association, the
422 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
423 County. This committee shall nominate between 10 and 14 county
424 citizens for the governing board, agency, or authority. The
425 slate shall be presented to the county commission and the county

426 commission shall confirm the top five to seven nominees,
427 depending on the size of the governing board. Until such time as
428 the governing board, agency, or authority is created, the funds
429 provided for in subparagraph (d)2. shall be placed in a
430 restricted account set aside from other county funds and not
431 disbursed by the county for any other purpose.

432 1. The plan shall divide the county into a minimum of four
433 and maximum of six service areas, with no more than one
434 participant hospital per service area. The county public general
435 hospital shall be designated as the provider for one of the
436 service areas. Services shall be provided through participants'
437 primary acute care facilities.

438 2. The plan and subsequent amendments to it shall fund a
439 defined range of health care services for both indigent persons
440 and the medically poor, including primary care, preventive care,
441 hospital emergency room care, and hospital care necessary to
442 stabilize the patient. For the purposes of this section,
443 "stabilization" means stabilization as defined in s. 397.311 ~~s.~~
444 ~~397.311(45)~~. Where consistent with these objectives, the plan
445 may include services rendered by physicians, clinics, community
446 hospitals, and alternative delivery sites, as well as at least
447 one regional referral hospital per service area. The plan shall
448 provide that agreements negotiated between the governing board,
449 agency, or authority and providers shall recognize hospitals
450 that render a disproportionate share of indigent care, provide

451 other incentives to promote the delivery of charity care to draw
452 down federal funds where appropriate, and require cost
453 containment, including, but not limited to, case management.
454 From the funds specified in subparagraphs (d)1. and 2. for
455 indigent health care services, service providers shall receive
456 reimbursement at a Medicaid rate to be determined by the
457 governing board, agency, or authority created pursuant to this
458 paragraph for the initial emergency room visit, and a per-member
459 per-month fee or capitation for those members enrolled in their
460 service area, as compensation for the services rendered
461 following the initial emergency visit. Except for provisions of
462 emergency services, upon determination of eligibility,
463 enrollment shall be deemed to have occurred at the time services
464 were rendered. The provisions for specific reimbursement of
465 emergency services shall be repealed on July 1, 2001, unless
466 otherwise reenacted by the Legislature. The capitation amount or
467 rate shall be determined before program implementation by an
468 independent actuarial consultant. In no event shall such
469 reimbursement rates exceed the Medicaid rate. The plan must also
470 provide that any hospitals owned and operated by government
471 entities on or after the effective date of this act must, as a
472 condition of receiving funds under this subsection, afford
473 public access equal to that provided under s. 286.011 as to any
474 meeting of the governing board, agency, or authority the subject
475 of which is budgeting resources for the retention of charity

476 care, as that term is defined in the rules of the Agency for
477 Health Care Administration. The plan shall also include
478 innovative health care programs that provide cost-effective
479 alternatives to traditional methods of service and delivery
480 funding.

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

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

489 5. At the end of each fiscal year, the governing board,
490 agency, or authority shall prepare an audit that reviews the
491 budget of the plan, delivery of services, and quality of
492 services, and makes recommendations to increase the plan's
493 efficiency. The audit shall take into account participant
494 hospital satisfaction with the plan and assess the amount of
495 poststabilization patient transfers requested, and accepted or
496 denied, by the county public general hospital.

497 Section 13. Section 397.416, Florida Statutes, is amended
498 to read:

499 397.416 Substance abuse treatment services; qualified
500 professional.—Notwithstanding any other provision of law, a

501 person who was certified through a certification process
502 recognized by the former Department of Health and Rehabilitative
503 Services before January 1, 1995, may perform the duties of a
504 qualified professional with respect to substance abuse treatment
505 services as defined in this chapter, and need not meet the
506 certification requirements contained in s. 397.311(35) ~~s.~~
507 ~~397.311(34)~~.

508 Section 14. Paragraphs (d) and (g) of subsection (1) of
509 section 440.102, Florida Statutes, are amended to read:

510 440.102 Drug-free workplace program requirements.—The
511 following provisions apply to a drug-free workplace program
512 implemented pursuant to law or to rules adopted by the Agency
513 for Health Care Administration:

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

516 (d) "Drug rehabilitation program" means a service provider
517 as defined in s. 397.311 which, ~~established pursuant to s.~~
518 ~~397.311(43),~~ that provides confidential, timely, and expert
519 identification, assessment, and resolution of employee drug
520 abuse.

521 (g) "Employee assistance program" means an established
522 program capable of providing expert assessment of employee
523 personal concerns; confidential and timely identification
524 services with regard to employee drug abuse; referrals of
525 employees for appropriate diagnosis, treatment, and assistance;

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526 and followup services for employees who participate in the
527 program or require monitoring after returning to work. If, in
528 addition to the above activities, an employee assistance program
529 provides diagnostic and treatment services, these services shall
530 in all cases be provided by service providers as defined in s.
531 397.311 ~~pursuant to s. 397.311(43).~~

532 Section 15. This act shall take effect July 1, 2019.