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2 An act relating to substance abuse service providers;  
3 amending s. 394.76, F.S.; revising the types of  
4 expenditures for district programs and services which  
5 are eligible for state payment; amending s. 397.403,  
6 F.S.; requiring service provider applicants to include  
7 the names and locations of certain recovery residences  
8 in their license application; creating s. 397.4104,  
9 F.S.; requiring service providers to record specified  
10 information in the Department of Children and  
11 Families' Provider Licensure and Designations System  
12 after a specified date; requiring service providers to  
13 update the record with any changes within a specified  
14 timeframe; providing civil penalties; amending s.  
15 397.4871, F.S.; requiring certified recovery residence  
16 administrators to demonstrate the ability to meet  
17 specified requirements; prohibiting certified recovery  
18 residence administrators from actively managing more  
19 than a specified number of residents; providing an  
20 exception; deleting a provision prohibiting certified  
21 recovery residence administrators from actively  
22 managing more than three recovery residences; amending  
23 s. 397.501, F.S.; requiring service providers to  
24 return an individual's personal effects upon the  
25 individual's discharge; providing an effective date.

26  
27 Be It Enacted by the Legislature of the State of Florida:  
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29 Section 1. Subsection (7) of section 394.76, Florida

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30 Statutes, is amended to read:

31       394.76 Financing of district programs and services.—If the  
32 local match funding level is not provided in the General  
33 Appropriations Act or the substantive bill implementing the  
34 General Appropriations Act, such funding level shall be provided  
35 as follows:

36       (7) The expenditures which are subject to state payment  
37 include expenditures that are approved in the district plan for:  
38 salaries of personnel; approved facilities and services provided  
39 through contract; operation, maintenance, and service cost;  
40 contingency management programs authorized by a managing entity,  
41 and subject to limitations on value imposed by the Federal  
42 Government or department rule, in which participants are  
43 provided noncash incentives for positive progress in their  
44 recovery under the care of a publicly funded substance abuse  
45 treatment provider; depreciation of facilities; and such other  
46 expenditures as may be approved by the district administrator.  
47 Such expenditures do not include expenditures for compensation  
48 to members of a community agency board, except the actual and  
49 necessary expenses incurred in the performance of official  
50 duties, or expenditures for a purpose for which state payment is  
51 claimed under any other provision of law.

52       Section 2. Paragraph (j) is added to subsection (1) of  
53 section 397.403, Florida Statutes, to read:

54       397.403 License application.—

55       (1) Applicants for a license under this chapter must apply  
56 to the department on forms provided by the department and in  
57 accordance with rules adopted by the department. Applications  
58 must include at a minimum:

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59           (j) The names and locations of any recovery residences to  
60 which the applicant service provider plans to refer patients or  
61 from which the applicant service provider plans to accept  
62 patients.

63           Section 3. Section 397.4104, Florida Statutes, is created  
64 to read:

65           397.4104 Record of recovery residences used by service  
66 providers.—

67           (1) By July 1, 2022, a service provider shall record in the  
68 department's Provider Licensure and Designations System the name  
69 and location of each recovery residence that the service  
70 provider has referred patients to or received patients from and  
71 update the record with any changes that occur. A service  
72 provider must update such record within 30 business days after  
73 the change.

74           (2) Beginning July 1, 2022, a licensed service provider  
75 that violates this section is subject to an administrative fine  
76 of \$1,000 per occurrence. The department may suspend or revoke a  
77 service provider's license pursuant to s. 397.415 for repeat  
78 violations of this section.

79           Section 4. Subsection (8) of section 397.4871, Florida  
80 Statutes, is amended to read:

81           397.4871 Recovery residence administrator certification.—

82           (8) (a) A certified recovery residence administrator must  
83 demonstrate the ability to effectively and appropriately respond  
84 to the needs of residents, to maintain residence standards, and  
85 to meet the certification requirements of this section.

86           (b) A certified recovery residence administrator may not  
87 actively manage more than 50 residents at any given time unless

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88 written justification is provided to, and approved by, the  
89 credentialing entity as to how the administrator is able to  
90 effectively and appropriately respond to the needs of the  
91 residents, to maintain residence standards, and to meet the  
92 residence certification requirements of this section. However, a  
93 certified recovery residence administrator may not actively  
94 manage more than 100 residents ~~no more than three recovery~~  
95 ~~residences~~ at any given time.

96 Section 5. Subsection (5) of section 397.501, Florida  
97 Statutes, is amended to read:

98 397.501 Rights of individuals.—Individuals receiving  
99 substance abuse services from any service provider are  
100 guaranteed protection of the rights specified in this section,  
101 unless otherwise expressly provided, and service providers must  
102 ensure the protection of such rights.

103 (5) RIGHT TO CARE AND CUSTODY OF PERSONAL EFFECTS.—An  
104 individual has the right to possess clothing and other personal  
105 effects. The service provider may take temporary custody of the  
106 individual's personal effects only when required for medical or  
107 safety reasons, with the reason for taking custody and a list of  
108 the personal effects recorded in the individual's clinical  
109 record. A service provider shall return an individual's personal  
110 effects upon the individual's discharge, even if the discharge  
111 is against medical advice.

112 Section 6. This act shall take effect upon becoming a law.