



260270

LEGISLATIVE ACTION

Senate

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House

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02/26/2026 12:44 PM

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Senator Rouson moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (5), (6), and (7) of section
397.407, Florida Statutes, are amended to read:

397.407 Licensure process; fees.—

(5) Except as provided in paragraph (6)(b), the department
shall conduct background screening, as provided in s. 397.4073,
as part of the licensure application for all owners, directors,
chief financial officers, and clinical supervisors of a service



12 provider. If the results of the background screening indicate
13 that the individual has been found guilty of, regardless of
14 adjudication, or has entered a plea of nolo contendere or guilty
15 to any offense prohibited under the screening standard, a
16 license may not be issued to the applicant service provider
17 unless an exemption from disqualification has been granted by
18 the department as set forth in chapter 435. The individual has
19 90 days within which to obtain the required exemption, during
20 which time the applicant's license remains in effect.

21 (6) (a) The department may issue probationary, regular, and
22 interim licenses. The department may issue one license for all
23 service components operated by a service provider and defined
24 pursuant to s. 397.311(27). The license is valid only for the
25 specific service components listed for each specific location
26 identified on the license. The licensed service provider must
27 ~~shall~~ apply for the addition of any service components and
28 obtain approval before initiating additional services. The
29 licensed service provider must notify the department and provide
30 any required documentation at least 30 days before the
31 relocation of any of its service sites. Provision of service
32 components or delivery of services at a location not identified
33 on the license may be considered an unlicensed operation that
34 authorizes the department to seek an injunction against
35 operation as provided in s. 397.401, in addition to other
36 sanctions authorized by s. 397.415. Probationary and regular
37 licenses may be issued only after all required information has
38 been submitted. A license may not be transferred. As used in
39 this subsection, the term "transfer" means ~~includes, but is not~~
40 ~~limited to,~~ the transfer of a majority of the ownership interest



41 in the licensed entity or transfer of responsibilities under the
42 license to another entity by contractual arrangement.

43 (b) If 5 percent or more of the controlling ownership
44 interest of a licensed entity is transferred to another person
45 or entity, the department must require only a level 2 background
46 screening pursuant to s. 397.4073 for officers, directors,
47 managing members, and individuals who exercise operational
48 control over the licensee on behalf of that person or entity.

49 (7) (a) Upon receipt of a complete application, payment of
50 applicable fees, and a demonstration of substantial compliance
51 with all applicable statutory and regulatory requirements, the
52 department may issue a probationary license to a service
53 provider applicant with services that are not yet fully
54 operational. The department may not issue a probationary license
55 when doing so would place the health, safety, or welfare of
56 individuals at risk. Notwithstanding paragraph (b), a
57 probationary license expires 90 days after issuance and may not
58 be reissued. During the probationary period the department shall
59 monitor the delivery of services. Notwithstanding s. 120.60(5),
60 the department may order a probationary licensee to cease and
61 desist operations at any time it is found to be substantially
62 out of compliance with licensure standards. This cease-and-
63 desist order is exempt from the requirements of s. 120.60(6).

64 (b) The department may not require an existing licensed
65 service provider that is seeking to add one or more additional
66 levels of care at an existing licensed location, or that is
67 seeking to offer the same level of care at one or more of the
68 service provider's new locations that are currently licensed, to
69 admit individuals for services during the probationary licensing



70 period if the provider has no outstanding violations pursuant to
71 s. 397.411(7) and the department has not taken any action
72 against the provider's existing license pursuant to s. 397.415
73 within the previous 12 months.

74 Section 2. This act shall take effect July 1, 2026.

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76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete everything before the enacting clause
79 and insert:

80 A bill to be entitled
81 An act relating to recovery residences; amending s.
82 397.407, F.S.; revising the definition of the term
83 "transfer"; requiring the Department of Children and
84 Families to require only a level 2 background
85 screening for certain individuals under certain
86 circumstances; prohibiting the department from
87 requiring certain existing licensed service providers
88 to admit individuals for services during the
89 probationary licensing period if certain requirements
90 and conditions are met; providing an effective date.