

1 A bill to be entitled

2 An act relating to substance abuse services; amending
3 s. 397.311, F.S.; providing definitions; conforming a
4 cross-reference; creating s. 397.487, F.S.; providing
5 legislative findings; requiring the Department of
6 Children and Families to create a voluntary
7 certification program for recovery residences;
8 requiring the department to approve credentialing
9 entities to develop and administer the certification
10 program; requiring an approved credentialing entity to
11 establish a process for certifying recovery residences
12 that meet certain qualifications; requiring an
13 approved credentialing entity to establish certain
14 fees; requiring a credentialing entity to conduct
15 onsite inspections of a recovery residence; requiring
16 background screening of employees and volunteers of a
17 recovery residence; providing for denial, suspension,
18 or revocation of certification; providing a criminal
19 penalty for advertising a recovery residence as a
20 "certified recovery residence" unless certified;
21 creating s. 397.4871, F.S.; providing legislative
22 intent; requiring the department to create a voluntary
23 certification program for recovery residence
24 administrators; authorizing the department to approve
25 credentialing entities to develop and administer the
26 certification program; requiring an approved

27 | credentialing entity to establish a process for
28 | certifying recovery residence administrators who meet
29 | certain qualifications; requiring an approved
30 | credentialing entity to establish certain fees;
31 | requiring background screening of applicants for
32 | recovery residence administrator certification;
33 | providing for suspension or revocation of
34 | certification; providing a criminal penalty for
35 | advertising oneself as a "certified recovery residence
36 | administrator" unless certified; creating s. 397.4872,
37 | F.S.; providing exemptions from disqualifying
38 | offenses; requiring credentialing entities to provide
39 | the department with a list of all certified recovery
40 | residences and recovery residence administrators by a
41 | date certain; requiring the department to publish the
42 | list on its website; allowing recovery residences and
43 | recovery residence administrators to be excluded from
44 | the list; amending s. 397.407, F.S.; authorizing
45 | licensed service providers to refer patients to
46 | certified recovery residences or recovery residences
47 | owned and operated by licensed service providers;
48 | defining the term "refer"; amending ss. 212.055,
49 | 394.9085, 397.405, 397.416, and 440.102, F.S.;
50 | conforming cross-references; providing an effective
51 | date.

52

53 Be It Enacted by the Legislature of the State of Florida:

54

55 Section 1. Present subsection (32) of section 397.311,
56 Florida Statutes, is amended, subsection (4), subsections (5)
57 through (28), and subsections (29) through (39) are renumbered
58 as subsection (7), subsections (9) through (32), and subsections
59 (35) through (45), respectively, and new subsections (4), (5).
60 (6), (8), (33), and (34) are added to that section, to read:

61 397.311 Definitions.—As used in this chapter, except part
62 VIII, the term:

63 (4) "Certificate of compliance" means a certificate that
64 is issued by a credentialing entity to a recovery residence or a
65 recovery residence administrator.

66 (5) "Certified recovery residence" means a recovery
67 residence that holds a valid certificate of compliance or that
68 is actively managed by a certified recovery residence
69 administrator.

70 (6) "Certified recovery residence administrator" means a
71 recovery residence administrator who holds a valid certificate
72 of compliance.

73 (8) "Credentialing entity" means a nonprofit organization
74 that develops and administers professional certification
75 programs according to nationally recognized certification and
76 psychometric standards.

77 (33) "Recovery residence" means a residential dwelling
78 unit, or other form of group housing, that is offered or

79 advertised through any means, including oral, written,
80 electronic, or printed means, by any person or entity as a
81 residence that provides a peer-supported, alcohol-free, and
82 drug-free living environment.

83 (34) "Recovery residence administrator" means the person
84 responsible for overall management of the recovery residence,
85 including the supervision of residents and staff employed by, or
86 volunteering for, the residence.

87 (38)-(32) "Service component" or "component" means a
88 discrete operational entity within a service provider which is
89 subject to licensing as defined by rule. Service components
90 include prevention, intervention, and clinical treatment
91 described in subsection (22) (18).

92 Section 2. Section 397.487, Florida Statutes, is created
93 to read:

94 397.487 Voluntary certification of recovery residences.-

95 (1) The Legislature finds that a person suffering from
96 addiction has a higher success rate of achieving long-lasting
97 sobriety when given the opportunity to build a stronger
98 foundation by living in a recovery residence after completing
99 treatment. The Legislature further finds that this state and its
100 subdivisions have a legitimate state interest in protecting
101 these persons, who represent a vulnerable consumer population in
102 need of adequate housing. It is the intent of the Legislature to
103 protect persons who reside in a recovery residence.

104 (2) The department shall approve one or more credentialing
 105 entities for the purpose of developing and administering a
 106 voluntary certification program for recovery residences. The
 107 approved credentialing entity shall:

108 (a) Establish recovery residence certification
 109 requirements.

110 (b) Establish processes to:

111 1. Administer the application, certification,
 112 recertification, and disciplinary processes.

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

115 3. Interview and evaluate residents, employees, and
 116 volunteer staff on their knowledge and application of
 117 certification requirements.

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

119 (d) Develop a code of ethics.

120 (e) Establish application, inspection, and annual
 121 certification renewal fees. The application fee may not exceed
 122 \$100. The inspection fee shall reflect actual costs for
 123 inspections. The annual certification renewal fee may not exceed
 124 \$100.

125 (3) A credentialing entity shall require the recovery
 126 residence to submit the following documents with the completed
 127 application and fee:

128 (a) A policy and procedures manual containing:

129 1. Job descriptions for all staff positions.

- 130 2. Drug testing procedures and requirements.
- 131 3. A prohibition on the premises against alcohol, illegal
 132 drugs, and the use of prescribed medications by an individual
 133 other than the individual for whom the medication is prescribed.
- 134 4. Policies to support a resident's recovery efforts.
- 135 5. A good neighbor policy to address neighborhood concerns
 136 and complaints.
- 137 (b) Rules for residents.
- 138 (c) Copies of all forms provided to residents.
- 139 (d) Intake procedures.
- 140 (e) Relapse policy.
- 141 (f) Fee schedule.
- 142 (g) Refund policy.
- 143 (h) Eviction procedures and policy.
- 144 (i) Code of ethics.
- 145 (j) Proof of insurance requirements.
- 146 (k) Background screening requirements.
- 147 (l) Requirements for proof of satisfactory fire, safety,
 148 and health inspections.
- 149 (4) A credentialing entity shall conduct an onsite
 150 inspection of the recovery residence before issuing a
 151 certificate of compliance. Onsite followup monitoring of any
 152 certified recovery residence may be conducted by the
 153 credentialing entity to determine continuing compliance with
 154 certification requirements. Each certified recovery residence

155 shall be inspected at least once during each certification
156 renewal period to ensure compliance.

157 (5) A credentialing entity shall require that all
158 employees and volunteer staff of a recovery residence pass a
159 level 2 background screening as provided in s. 435.04. The
160 employee's and volunteer's fingerprints must be submitted by the
161 department, an entity, or a vendor as authorized by s.
162 943.053(13)(a). The fingerprints shall be forwarded to the
163 Department of Law Enforcement for state processing, and the
164 Department of Law Enforcement shall forward them to the Federal
165 Bureau of Investigation for national processing. Fees for state
166 and national fingerprint processing shall be borne by the
167 employer, employee, or volunteer. The department shall screen
168 background results to determine whether an employee or volunteer
169 meets certification requirements.

170 (6) A credentialing entity shall issue a certificate of
171 compliance upon approval of the recovery residence's application
172 and inspection. The certification shall automatically terminate
173 if not renewed within 1 year after the date of issuance.

174 (7) A credentialing entity shall deny a recovery
175 residence's application for certification, and may suspend or
176 revoke a certification, if the recovery residence:

177 (a) Is not in compliance with any provision of this
178 section;

179 (b) Has failed to remedy any deficiency identified by the
180 credentialing entity within the time period specified;

181 (c) Provided false, misleading, or incomplete information
 182 to the credentialing entity; or

183 (d) Has employees or volunteer staff who are subject to
 184 the disqualifying offenses set forth in s. 435.04(2), unless an
 185 exemption has been provided under s. 397.4872.

186 (8) It is unlawful for a person to advertise to the
 187 public, in any way or by any medium whatsoever, any recovery
 188 residence as a "certified recovery residence" unless such
 189 recovery residence has first secured a certificate of compliance
 190 under this section. A person who violates this subsection
 191 commits a misdemeanor of the first degree, punishable as
 192 provided in s. 775.082 or s. 775.083.

193 Section 3. Section 397.4871, Florida Statutes, is created
 194 to read:

195 397.4871 Recovery residence administrator certification.-

196 (1) It is the intent of the Legislature that a recovery
 197 residence administrator voluntarily earn and maintain
 198 certification from a credentialing entity approved by the
 199 Department of Children and Families. The Legislature further
 200 intends that certification ensure that an administrator has the
 201 competencies necessary to appropriately respond to the needs of
 202 residents, to maintain residence standards, and to meet
 203 residence certification requirements.

204 (2) The department shall approve one or more credentialing
 205 entities for the purpose of developing and administering a

206 volunteer credentialing program for administrators. The approved
 207 credentialing entity shall:

208 (a) Establish recovery residence administrator core
 209 competencies, certification requirements, testing instruments,
 210 and recertification requirements according to nationally
 211 recognized certification and psychometric standards.

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

214 (c) Demonstrate ability to administer:

215 1. A code of ethics and disciplinary process.

216 2. Biennial continuing education requirements and annual
 217 certification renewal requirements.

218 3. An education provider program to approve training
 219 entities that are qualified to provide precertification training
 220 to applicants and continuing education opportunities to
 221 certified persons.

222 (3) A credentialing entity shall establish a certification
 223 program that:

224 (a) Is established according to nationally recognized
 225 certification and psychometric standards.

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

227 (c) Establishes minimum requirements in each of the
 228 following categories:

229 1. Training.

230 2. On-the-job work experience.

231 3. Supervision.

232 4. Testing.

233 5. Biennial continuing education.

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

236 (e) Approves qualified training entities that provide
237 precertification training to applicants and continuing education
238 to certified recovery residence administrators. To avoid a
239 conflict of interest, a credentialing entity or its affiliate
240 may not deliver training to an applicant or continuing education
241 to a certificateholder.

242 (4) A credentialing entity shall require each applicant to
243 pass a level 2 background screening as provided in s. 435.04.
244 The applicant's fingerprints must be submitted by the
245 department, an entity, or a vendor as authorized by s.
246 943.053(13)(a). The fingerprints shall be forwarded to the
247 Department of Law Enforcement for state processing, and the
248 Department of Law Enforcement shall forward them to the Federal
249 Bureau of Investigation for national processing. Fees for state
250 and national fingerprint processing shall be borne by the
251 applicant. The department shall screen background results to
252 determine whether an applicant meets certification requirements.

253 (5) A credentialing entity shall establish application,
254 examination, and certification fees and an annual certification
255 renewal fee. The application, examination, and certification fee
256 may not exceed \$225. The annual certification renewal fee may
257 not exceed \$100.

258 (6) The credentialing entity shall issue a certificate of
259 compliance upon approval of a person's application. The
260 certification shall automatically terminate if not renewed
261 within 1 year after the date of issuance.

262 (7) A person who is subject to the disqualifying offenses
263 set forth in s. 435.04(2) is ineligible to become a certified
264 recovery residency administrator.

265 (8) A credentialing entity may suspend or revoke the
266 recovery residence administrator's certificate of compliance if
267 the recovery residence administrator:

268 (a) Fails to adhere to the continuing education
269 requirements; or

270 (b) Becomes subject to the disqualifying offenses set
271 forth in s. 435.04(2), unless an exemption has been provided
272 under s. 397.4872.

273 (9) It is unlawful for a person to advertise himself or
274 herself to the public, in any way or by any medium whatsoever,
275 as a "certified recovery residence administrator" unless he or
276 she has first secured a certificate of compliance under this
277 section. A person who violates this subsection commits a
278 misdemeanor of the first degree, punishable as provided in s.
279 775.082 or s. 775.083.

280 Section 4. Section 397.4872, Florida Statutes, is created
281 to read:

282 397.4872 Exemption from disqualification; publication.-

283 (1) Individual exemptions to staff disqualification or
284 administrator ineligibility may be requested if a recovery
285 residence deems the decision will benefit the program. Requests
286 for exemptions shall be submitted in writing to the department
287 and include a justification for the exemption.

288 (2) The department may exempt a person from ss.
289 397.487(7)(d) and 397.4871(7) if it has been at least 3 years
290 since the person has completed or been lawfully released from
291 confinement, supervision, or sanction for the disqualifying
292 offense. An exemption from the disqualifying offenses may not be
293 given under any circumstances for any person who is a:

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

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

296 (c) Sexual offender pursuant to s. 943.0435, unless the
297 requirement to register as a sexual offender has been removed
298 pursuant to s. 943.04354.

299 (3) A credentialing entity shall submit a list to the
300 department, no later than April 1, 2015, of all recovery
301 residences or recovery residence administrators whom it has
302 certified and who hold valid certificates of compliance.
303 Thereafter, a credentialing entity shall notify the department
304 within 3 business days when any new recovery residence
305 administrator receives a certificate or when a recovery
306 residence administrator's certificate expires or is terminated.
307 The department shall publish on its website a list of each
308 recovery residence and recovery residence administrator who

309 holds a valid certificate of compliance. A recovery residence or
310 recovery residence administrator shall be excluded from the list
311 upon written request to the department.

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

315 397.407 Licensure process; fees.—

316 (1) The department shall establish by rule the licensure
317 process to include fees and categories of licenses. The rule
318 must prescribe a fee range that is based, at least in part, on
319 the number and complexity of programs listed in s. 397.311(22)
320 ~~397.311(18)~~ which are operated by a licensee. The fees from the
321 licensure of service components are sufficient to cover at least
322 50 percent of the costs of regulating the service components.
323 The department shall specify by rule a fee range for public and
324 privately funded licensed service providers. Fees for privately
325 funded licensed service providers must exceed the fees for
326 publicly funded licensed service providers. During adoption of
327 the rule governing the licensure process and fees, the
328 department shall carefully consider the potential adverse impact
329 on small, not-for-profit service providers.

330 (5) The department may issue probationary, regular, and
331 interim licenses. After adopting the rule governing the
332 licensure process and fees, the department shall issue one
333 license for each service component that is operated by a service
334 provider and defined in rule pursuant to s. 397.311(22)

335 ~~397.311(18)~~. The license is valid only for the specific service
336 components listed for each specific location identified on the
337 license. The licensed service provider shall apply for a new
338 license at least 60 days before the addition of any service
339 components or 30 days before the relocation of any of its
340 service sites. Provision of service components or delivery of
341 services at a location not identified on the license may be
342 considered an unlicensed operation that authorizes the
343 department to seek an injunction against operation as provided
344 in s. 397.401, in addition to other sanctions authorized by s.
345 397.415. Probationary and regular licenses may be issued only
346 after all required information has been submitted. A license may
347 not be transferred. As used in this subsection, the term
348 "transfer" includes, but is not limited to, the transfer of a
349 majority of the ownership interest in the licensed entity or
350 transfer of responsibilities under the license to another entity
351 by contractual arrangement.

352 (11) Effective October 1, 2015, a service provider
353 licensed under this part may refer a current or discharged
354 patient only to a recovery residence that holds a valid
355 certificate of compliance as provided in s. 397.487, is actively
356 managed by a certified recovery residence administrator as
357 provided in s. 397.4871, or both, or is owned and operated by a
358 licensed service provider. For purposes of this subsection, the
359 term "refer" means to inform a patient by any means about the
360 name, address, or other details about the recovery residence.

361 However, this section does not require a licensed service
362 provider to refer any patient to a recovery residence.

363 Section 6. Paragraph (e) of subsection (5) of section
364 212.055, Florida Statutes, is amended to read:

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

378 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined
379 in s. 125.011(1) may levy the surtax authorized in this
380 subsection pursuant to an ordinance either approved by
381 extraordinary vote of the county commission or conditioned to
382 take effect only upon approval by a majority vote of the
383 electors of the county voting in a referendum. In a county as
384 defined in s. 125.011(1), for the purposes of this subsection,
385 "county public general hospital" means a general hospital as
386 defined in s. 395.002 which is owned, operated, maintained, or

387 governed by the county or its agency, authority, or public
388 health trust.

389 (e) A governing board, agency, or authority shall be
390 chartered by the county commission upon this act becoming law.
391 The governing board, agency, or authority shall adopt and
392 implement a health care plan for indigent health care services.
393 The governing board, agency, or authority shall consist of no
394 more than seven and no fewer than five members appointed by the
395 county commission. The members of the governing board, agency,
396 or authority shall be at least 18 years of age and residents of
397 the county. No member may be employed by or affiliated with a
398 health care provider or the public health trust, agency, or
399 authority responsible for the county public general hospital.
400 The following community organizations shall each appoint a
401 representative to a nominating committee: the South Florida
402 Hospital and Healthcare Association, the Miami-Dade County
403 Public Health Trust, the Dade County Medical Association, the
404 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
405 County. This committee shall nominate between 10 and 14 county
406 citizens for the governing board, agency, or authority. The
407 slate shall be presented to the county commission and the county
408 commission shall confirm the top five to seven nominees,
409 depending on the size of the governing board. Until such time as
410 the governing board, agency, or authority is created, the funds
411 provided for in subparagraph (d)2. shall be placed in a
412 restricted account set aside from other county funds and not

413 disbursed by the county for any other purpose.

414 1. The plan shall divide the county into a minimum of four
415 and maximum of six service areas, with no more than one
416 participant hospital per service area. The county public general
417 hospital shall be designated as the provider for one of the
418 service areas. Services shall be provided through participants'
419 primary acute care facilities.

420 2. The plan and subsequent amendments to it shall fund a
421 defined range of health care services for both indigent persons
422 and the medically poor, including primary care, preventive care,
423 hospital emergency room care, and hospital care necessary to
424 stabilize the patient. For the purposes of this section,
425 "stabilization" means stabilization as defined in s. 397.311(41)
426 ~~397.311(35)~~. Where consistent with these objectives, the plan
427 may include services rendered by physicians, clinics, community
428 hospitals, and alternative delivery sites, as well as at least
429 one regional referral hospital per service area. The plan shall
430 provide that agreements negotiated between the governing board,
431 agency, or authority and providers shall recognize hospitals
432 that render a disproportionate share of indigent care, provide
433 other incentives to promote the delivery of charity care to draw
434 down federal funds where appropriate, and require cost
435 containment, including, but not limited to, case management.
436 From the funds specified in subparagraphs (d)1. and 2. for
437 indigent health care services, service providers shall receive
438 reimbursement at a Medicaid rate to be determined by the

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

463 3. The plan's benefits shall be made available to all
464 county residents currently eligible to receive health care

465 services as indigents or medically poor as defined in paragraph
 466 (4) (d).

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

471 5. At the end of each fiscal year, the governing board,
 472 agency, or authority shall prepare an audit that reviews the
 473 budget of the plan, delivery of services, and quality of
 474 services, and makes recommendations to increase the plan's
 475 efficiency. The audit shall take into account participant
 476 hospital satisfaction with the plan and assess the amount of
 477 poststabilization patient transfers requested, and accepted or
 478 denied, by the county public general hospital.

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

481 394.9085 Behavioral provider liability.—

482 (6) For purposes of this section, the terms
 483 "detoxification services," "addictions receiving facility," and
 484 "receiving facility" have the same meanings as those provided in
 485 ss. 397.311(22)(a)4. ~~397.311(18)(a)4.~~, 397.311(22)(a)1.
 486 ~~397.311(18)(a)1.~~, and 394.455(26), respectively.

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

489 397.405 Exemptions from licensure.—The following are
 490 exempt from the licensing provisions of this chapter:

491 (8) A legally cognizable church or nonprofit religious
492 organization or denomination providing substance abuse services,
493 including prevention services, which are solely religious,
494 spiritual, or ecclesiastical in nature. A church or nonprofit
495 religious organization or denomination providing any of the
496 licensed service components itemized under s. 397.311(22)
497 ~~397.311(18)~~ is not exempt from substance abuse licensure but
498 retains its exemption with respect to all services which are
499 solely religious, spiritual, or ecclesiastical in nature.

500

501 The exemptions from licensure in this section do not apply to
502 any service provider that receives an appropriation, grant, or
503 contract from the state to operate as a service provider as
504 defined in this chapter or to any substance abuse program
505 regulated pursuant to s. 397.406. Furthermore, this chapter may
506 not be construed to limit the practice of a physician or
507 physician assistant licensed under chapter 458 or chapter 459, a
508 psychologist licensed under chapter 490, a psychotherapist
509 licensed under chapter 491, or an advanced registered nurse
510 practitioner licensed under part I of chapter 464, who provides
511 substance abuse treatment, so long as the physician, physician
512 assistant, psychologist, psychotherapist, or advanced registered
513 nurse practitioner does not represent to the public that he or
514 she is a licensed service provider and does not provide services
515 to individuals pursuant to part V of this chapter. Failure to
516 comply with any requirement necessary to maintain an exempt

517 status under this section is a misdemeanor of the first degree,
 518 punishable as provided in s. 775.082 or s. 775.083.

519 Section 9. Section 397.416, Florida Statutes, is amended
 520 to read:

521 397.416 Substance abuse treatment services; qualified
 522 professional.—Notwithstanding any other provision of law, a
 523 person who was certified through a certification process
 524 recognized by the former Department of Health and Rehabilitative
 525 Services before January 1, 1995, may perform the duties of a
 526 qualified professional with respect to substance abuse treatment
 527 services as defined in this chapter, and need not meet the
 528 certification requirements contained in s. 397.311(30)
 529 ~~397.311(26)~~.

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

532 440.102 Drug-free workplace program requirements.—The
 533 following provisions apply to a drug-free workplace program
 534 implemented pursuant to law or to rules adopted by the Agency
 535 for Health Care Administration:

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

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

542 (g) "Employee assistance program" means an established

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543 program capable of providing expert assessment of employee
544 personal concerns; confidential and timely identification
545 services with regard to employee drug abuse; referrals of
546 employees for appropriate diagnosis, treatment, and assistance;
547 and followup services for employees who participate in the
548 program or require monitoring after returning to work. If, in
549 addition to the above activities, an employee assistance program
550 provides diagnostic and treatment services, these services shall
551 in all cases be provided by service providers pursuant to s.
552 397.311(39) ~~397.311(33)~~.

553 Section 11. This act shall take effect July 1, 2014.