Representative Caruso offered the following:

Amendment (with title amendment)

Remove lines 28-125 and insert:

Section 1. Paragraph (b) of subsection (4) of section 397.4073, Florida Statutes, is amended to read:

397.4073 Background checks of service provider personnel.—

(4) EXEMPTIONS FROM DISQUALIFICATION.—

(b) Since rehabilitated substance abuse impaired persons are effective in the successful treatment and rehabilitation of individuals with substance use disorders, For service providers that which treat adolescents 13 years of age and older, service provider personnel whose background checks indicate crimes under
s. 796.07(2)(e), s. 810.02(4), s. 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02, s. 893.13, or s. 893.147, and any related
criminal attempt, solicitation, or conspiracy under s. 777.04:

1. Shall may be exempted from disqualification from
employment for such offenses pursuant to this paragraph if:
   a. At least 5 years, or at least 3 years in the case of an
      individual seeking certification as a peer specialist under s.
      397.417, have elapsed since the applicant requesting an
      exemption has completed or has been lawfully released from any
      confinement, supervision, or nonmonetary condition imposed by a
      court for the applicant's most recent disqualifying offense
      under this paragraph.
   b. The applicant for an exemption has not been arrested
      for any offense during the 5 years, or 3 years in the case of a
      peer specialist, before the request for exemption.

2. May be exempted from disqualification from employment
   for such offenses without a waiting period as provided under s.
   435.07(2).

Section 2. Subsection (6) of section 397.487, Florida
Statutes, is amended to read:

397.487 Voluntary certification of recovery residences.—
(6) All owners, directors, and chief financial officers of
an applicant recovery residence are subject to level 2
background screening as provided under s. 408.809 and chapter
435. A recovery residence is ineligible for certification, and a
credentialing entity shall deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 435.07 or s. 397.4872. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

Section 3. Subsection (5) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—
(5) All applicants are subject to level 2 background screening as provided under chapter 435. An applicant is ineligible, and a credentialing entity shall deny the application, if the applicant has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809 or s. 435.04(2) unless the department has issued an exemption under s. 435.07 or s. 397.4872. In accordance with s. 435.04, the department shall notify the credentialing agency of the applicant's eligibility based on the results of his or her background screening.

Section 4. Subsections (2) and (3) of section 397.4872, Florida Statutes, are amended to read:
397.4872  Exemption from disqualification; publication.—

(2)  The department may exempt a person from ss. 397.487(6) and 397.4871(5) if it has been at least 3 years since the person has completed or been lawfully released from confinement, supervision, or sanction for the disqualifying offense. An exemption from the disqualifying offenses may not be given under any circumstances for any person who is a:

(a)  Sexual predator pursuant to s. 775.21;
(b)  Career offender pursuant to s. 775.261; or
(c)  Sexual offender pursuant to s. 943.0435, unless the requirement to register as a sexual offender has been removed pursuant to s. 943.04354.

(2)(3)  By April 1, 2016, each credentialing entity shall submit a list to the department of all recovery residences and recovery residence administrators certified by the credentialing entity that hold a valid certificate of compliance. Thereafter, the credentialing entity must notify the department within 3 business days after a new recovery residence or recovery residence administrator is certified or a recovery residence or recovery residence administrator's certificate expires or is terminated. The department shall publish on its website a list of all recovery residences that hold a valid certificate of compliance. The department shall also publish on its website a list of all recovery residence administrators who hold a valid certificate of compliance. A recovery residence or recovery residence administrator that fails to meet the requirements of this section is subject to the penalties provided in ss. 397.487(8) and 397.4871(7).
residence administrator shall be excluded from the list upon
written request to the department by the listed individual or
entity.

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

Remove lines 3-17 and insert:
s. 397.4073, F.S.; requiring, rather than authorizing,
an exemption from disqualification from employment for
certain substance abuse service provider personnel
under certain circumstances; providing that certain
persons may be granted such exemption without a
waiting period under certain circumstances; amending
ss. 397.487 and 397.4871, F.S.; conforming cross-
references to changes made by the act; amending s.
397.4872, F.S.; removing the authority of the
Department of Children and Families to grant
exemptions from disqualification under ch. 397, F.S,
under certain circumstances; removing an obsolete
provision; amending s. 397.4873, F.S.;