

Committee on Children, Families, and Elder Affairs

CS/CS/HB 369 — Substance Abuse Services

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Rep. Caruso and others (CS/SB 900 by Children, Families, and Elder Affairs Committee and Senator Harrell)

The bill promotes the use of peer specialists in behavioral health care and revises requirements for recovery residences (also known as “sober homes”). Peer specialists are persons who have recovered from a substance use disorder or mental illness who support a person with a current substance use disorder or mental illness. The bill also codifies existing training and certification requirements for peer specialists.

The bill also modifies requirements for licensed substance abuse service providers offering treatment to individuals living in recovery residences. Specifically, the bill subjects all owners, directors, and chief financial officers of a recovery residence applying for voluntary certification to level II background screening, and creates a new first-degree misdemeanor offense for anyone who knowingly and fraudulently discloses inaccurate information on a licensure application when such fact is material to determining one’s qualifications to be an owner, director, volunteer, or other personnel of a service provider. The bill also provides due process procedures for actions taken by an approved certifying entity on a recovery residence’s certification.

The bill exempts certified recovery residences from landlord/tenant laws in cases where a discharge is deemed necessary to protect the resident at issue, other residents, or staff, provided the recovery residence has an approved discharge policy.

The bill revises background screening requirements for individuals who have been disqualified for employment with substance abuse service providers by adding offenses for which such individuals may seek an exemption from disqualification following a failed background screening.

If approved by the Governor, these provisions take effect July 1, 2019.

Vote: Senate 37-0; House 113-0