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2 An act relating to substance abuse services;
3 amending s. 397.311, F.S.; providing for
4 methadone maintenance treatment; amending s.
5 397.501, F.S.; providing for appropriate use of
6 methods and techniques for controlling
7 aggressive clients; providing rulemaking
8 authority relating to the use of such methods
9 and techniques; providing an effective date.

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

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13 Section 1. Subsection (19) of section 397.311, Florida
14 Statutes, is amended to read:15 397.311 Definitions.--As used in this chapter, except
16 part VIII:17 (19) "Licensed service provider" means a public agency
18 under this chapter, a private for-profit or not-for-profit
19 agency under this chapter, a physician licensed under chapter
20 458 or chapter 459, or any other private practitioner licensed
21 under this chapter, or a hospital licensed under chapter 395,
22 which offers substance abuse impairment services through one
23 or more of the following licensable service components:24 (a) Addictions receiving facility, which is a
25 community-based facility designated by the department to
26 receive, screen, and assess clients found to be substance
27 abuse impaired, in need of emergency treatment for substance
28 abuse impairment, or impaired by substance abuse to such an
29 extent as to meet the criteria for involuntary admission in s.
30 397.675, and to provide detoxification and stabilization. An
31 addictions receiving facility must be state-owned,

1 state-operated, or state-contracted, and licensed pursuant to
2 rules adopted by the department's Alcohol, Drug Abuse, and
3 Mental Health Program Office which include specific
4 authorization for the provision of levels of care and a
5 requirement of separate accommodations for adults and minors.
6 Addictions receiving facilities are designated as secure
7 facilities to provide an intensive level of care and must have
8 sufficient staff and the authority to provide environmental
9 security to handle aggressive and difficult-to-manage behavior
10 and deter elopement.

11 (b) Detoxification, which uses medical and
12 psychological procedures and a supportive counseling regimen
13 to assist clients in managing toxicity and withdrawing and
14 stabilizing from the physiological and psychological effects
15 of substance abuse impairment.

16 (c) Residential treatment, which provides a
17 structured, live-in environment within a nonhospital setting
18 on a 24-hours-a-day, 7-days-a-week basis, and includes
19 treatment, rehabilitation, and transitional care.

20 (d) Day and night treatment, which provides a
21 nonresidential environment with a structured schedule of
22 treatment and rehabilitation services.

23 (e) Outpatient treatment, which provides individual,
24 group, or family counseling for clients by appointment during
25 scheduled operating hours, with an emphasis on assessment and
26 treatment.

27 (f) Medication and methadone maintenance treatment
28 that uses methadone or other medication as authorized by state
29 and federal law, in conjunction with medical, rehabilitative,
30 and counseling services in the treatment of clients who are
31 dependent upon opioid drugs ~~treatment, which uses authorized~~

1 ~~drugs to treat clients dependent upon alcohol or other drugs~~
2 ~~pursuant to a permit or license issued by an appropriate~~
3 ~~federal authority.~~

4 ~~(g) Methadone maintenance treatment, which means~~
5 ~~administering a constant therapeutic daily dose of methadone~~
6 ~~following stabilization, concomitantly with medical,~~
7 ~~rehabilitative, and counseling services.~~

8 (g)(h) Prevention, which is a process involving
9 strategies aimed at the individual, the environment, or the
10 substance, which strategies preclude, forestall, or impede the
11 development of substance abuse problems and promote
12 responsible personal and social growth of individuals and
13 families toward full human potential.

14 (h)(i) Intervention, which consists of structured
15 services targeted toward individuals or groups at risk and
16 focused on reducing those factors associated with the onset or
17 the early stages of substance abuse, and related problems.

18 Section 2. Subsection (3) of section 397.501, Florida
19 Statutes, is amended to read:

20 397.501 Rights of clients.--Clients receiving
21 substance abuse services from any service provider are
22 guaranteed protection of the rights specified in this section,
23 unless otherwise expressly provided, and service providers
24 must ensure the protection of such rights.

25 (3) RIGHT TO QUALITY SERVICES.--

26 (a) Each client must be delivered services suited to
27 his or her needs, administered skillfully, safely, humanely,
28 with full respect for his or her dignity and personal
29 integrity, and in accordance with all statutory and regulatory
30 requirements.

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1 **(b) These services must include the use of methods and**
2 **techniques to control aggressive client behavior that poses an**
3 **immediate threat to the client or to other persons. Such**
4 **methods and techniques include the use of restraints, the use**
5 **of seclusion, the use of time-out, and other**
6 **behavior-management techniques. When authorized, these methods**
7 **and techniques may be applied only by persons who are employed**
8 **by service providers and trained in the application and use of**
9 **these methods and techniques. The department must specify by**
10 **rule the methods that may be used and the techniques that may**
11 **be applied by service providers to control aggressive client**
12 **behavior and must specify by rule the physical-facility**
13 **requirements for seclusion rooms, including dimensions, safety**
14 **features, methods of observation, and contents.**

15 Section 3. This act shall take effect upon becoming a
16 law.

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