

Bill No. CS for SB 1510

Barcode 361640

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Comm: RCS  
03/29/2006 10:35 AM

.  
. .  
. .  
. .  
. .  
. .

The Committee on Community Affairs (Villalobos) recommended  
the following amendment:

**Senate Amendment (with title amendment)**

On page 4, line 29, through  
page 5, line 29, delete those lines

and insert:

2. Convert a license or registration to probation  
status and require the licensee or registrant to comply with  
the terms of probation. A probation-status license or  
registration may not be issued for a period that exceeds 6  
months and the probation-status license or registration may  
not be renewed. A probation-status license or registration  
may be suspended or revoked if periodic inspection by the  
department or local licensing agency finds that the  
probation-status licensee or registrant is not in compliance  
with the terms of probation or that the probation-status  
licensee or registrant is not making sufficient progress  
toward compliance with ss. 402.301-402.319.

3. Deny, suspend, or revoke a license or registration.

Bill No. CS for SB 1510

Barcode 361640

1 (b) In determining the appropriate disciplinary action  
2 to be taken for a violation as provided in paragraph (a), the  
3 following factors shall be considered:

4 1. The severity of the violation, including the  
5 probability that death or serious harm to the health or safety  
6 of any person will result or has resulted, the severity of the  
7 actual or potential harm, and the extent to which the  
8 provisions of ss. 402.301-402.319 have been violated.

9 2. Actions taken by the licensee or registrant to  
10 correct the violation or to remedy complaints.

11 3. Any previous violations of the licensee or  
12 registrant.

13 (c) The department shall adopt rules to:

14 1. Establish the grounds under which the department  
15 may deny, suspend, or revoke a license or registration or  
16 place a licensee or registrant on probation status for  
17 violations of ss. 402.301-402.319.

18 2. Establish a uniform system of procedures to impose  
19 disciplinary sanctions for violations of ss. 402.301-402.319.  
20 The uniform system of procedures must provide for the  
21 consistent application of disciplinary actions across  
22 districts and a progressively increasing level of penalties  
23 from predisciplinary actions, such as efforts to assist  
24 licensees or registrants to correct the statutory or  
25 regulatory violations, and to severe disciplinary sanctions  
26 for actions that jeopardize the health and safety of children,  
27 such as for the deliberate misuse of medications. The  
28 department shall implement this subparagraph on January 1,  
29 2007, and the implementation is not contingent upon a specific  
30 appropriation.

31 (d) The disciplinary sanctions set forth in this

Bill No. CS for SB 1510

Barcode 361640

1 section apply to licensed child care facilities, licensed  
2 large family child care homes, and licensed or registered  
3 family day care homes.

4           (2) When the department has reasonable cause to  
5 believe that grounds exist for the denial, suspension, or  
6 revocation of a license or registration; the conversion of a  
7 license or registration to probation status; or the imposition  
8 of an administrative fine ~~exist~~, it shall determine the matter  
9 in accordance with procedures prescribed in chapter 120. When  
10 the local licensing agency has reasonable cause to believe  
11 that grounds exist for the denial, suspension, or revocation  
12 of a license or registration; the conversion of a license or  
13 registration to probation status; or the imposition of an  
14 administrative fine ~~exist~~, it shall notify the applicant,  
15 registrant, or licensee in writing, stating the grounds upon  
16 which the license or registration is being denied, suspended,  
17 or revoked or an administrative fine is being imposed. If the  
18 applicant, registrant, or licensee makes no written request  
19 for a hearing to the local licensing agency within 15 days  
20 after ~~from~~ receipt of the ~~such~~ notice, the license shall be  
21 deemed denied, suspended, or revoked; the license or  
22 registration shall be converted to probation status; or an  
23 administrative fine shall be imposed.

24  
25

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

27 And the title is amended as follows:

28           On page 1, line 15, after the first semicolon,  
29  
30 insert:

31           authorizing the department or local licensing

Bill No. CS for SB 1510

Barcode 361640

1 agency to convert a license or registration to  
2 probation status for a violation of certain  
3 laws; requiring the department to adopt rules  
4 establishing the grounds for imposing  
5 disciplinary actions and creating a uniform  
6 system of procedures;

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31