

By Senator Rich

26-1587-06

1                                   A bill to be entitled  
 2                   An act relating to programs of the Department  
 3                   of Children and Family Services; amending s.  
 4                   397.451, F.S.; requiring service provider  
 5                   personnel who request an exemption from  
 6                   disqualification to submit the request within a  
 7                   certain time after notification of the  
 8                   disqualification; deleting a provision  
 9                   requiring immediate dismissal of service  
 10                  provider personnel upon disapproval of a  
 11                  request for an exemption; prohibiting the  
 12                  department from issuing a regular license to a  
 13                  service provider that fails to provide proof  
 14                  that background screening information has been  
 15                  submitted; repealing s. 3, ch. 2003-279, Laws  
 16                  of Florida; abrogating the repeal of s.  
 17                  20.19(2)(c) and (4)(b)6. and 8., F.S., relating  
 18                  to the appointment of certain mental health and  
 19                  substance abuse positions and the establishment  
 20                  of program offices for mental health and  
 21                  substance abuse; providing an effective date.

22  
 23 Be It Enacted by the Legislature of the State of Florida:

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 25                   Section 1. Paragraph (f) of subsection (1) of section  
 26                   397.451, Florida Statutes, is amended, and paragraph (g) is  
 27                   added to that subsection, to read:

28                   397.451 Background checks of service provider  
 29                   personnel.--

30                   (1) PERSONNEL BACKGROUND CHECKS; REQUIREMENTS AND  
 31                   EXCEPTIONS.--

1 (f) Service provider personnel who request an  
2 exemption from disqualification must submit the request within  
3 30 days after being notified of ~~the a pending~~  
4 disqualification. The employment of service provider personnel  
5 shall not be adversely affected pending disposition of the  
6 request for an exemption. ~~Disapproval of a request for an~~  
7 ~~exemption shall result in the immediate dismissal of the~~  
8 ~~service provider personnel from employment with the provider.~~

9 (g) The department may not issue a regular license to  
10 any service provider that fails to provide proof that  
11 background screening information has been submitted in  
12 accordance with chapter 435.

13 Section 2. Section 3 of chapter 2003-279, Laws of  
14 Florida, is repealed.

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

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19 SENATE SUMMARY

20 Requires service provider personnel who request an  
21 exemption from disqualification to submit the request  
22 within a certain time after notification of the  
23 disqualification. Deletes a provision requiring immediate  
24 dismissal of service provider personnel upon disapproval  
25 of a request for an exemption. Prohibits the Department  
26 of Children and Family Services from issuing a regular  
27 license to a service provider that fails to provide proof  
28 that background screening information has been submitted.  
29 Deletes provisions relating to the expiration date for  
30 the appointment of certain mental health and substance  
31 abuse positions and for the establishment of program  
offices for mental health and substance abuse.