



221870

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2009	.	
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The Committee on Children, Families, and Elder Affairs (Wise) recommended the following:

**Senate Amendment**

Delete lines 558 - 742  
and insert:

(a) "Clinical treatment" means a professionally directed, deliberate and planned regimen of services and interventions that are designed to reduce or eliminate the misuse of drugs and alcohol and promote a healthy, drug-free lifestyle. As defined by rule, "clinical treatment services" shall include, but not be limited to, the following licensable service components:

1. "Addictions receiving facility" is a secure, acute-care



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12 facility operated 24 hours-per-day, 7 days-per-week, designated  
13 by the department to serve individuals found to be substance use  
14 impaired as described in s. 397.675 and who meet the placement  
15 criteria for this component.

16 2. "Day or night treatment" is a service provided in a  
17 nonresidential environment with a structured schedule of  
18 treatment and rehabilitative services.

19 3. "Day or night treatment with community housing" means a  
20 program intended for individuals who can benefit from living  
21 independently in peer community housing while participating in  
22 treatment services for a minimum of 5 hours a day for a minimum  
23 of 25 hours per week.

24 4. "Detoxification" is a service involving subacute care  
25 that is provided on an inpatient or an outpatient basis to  
26 assist individuals to withdraw from the physiological and  
27 psychological effects of substance use disorders and who meet  
28 the placement criteria for this component.

29 5. "Intensive inpatient treatment" includes a planned  
30 regimen of evaluation, observation, medical monitoring, and  
31 clinical protocols delivered through an interdisciplinary team  
32 approach provided 24 hours-per-day, 7 days-per-week, in a highly  
33 structured, live-in environment.

34 6. "Intensive outpatient treatment" is a service that  
35 provides individual or group counseling in a more structured  
36 environment, is of higher intensity and duration than outpatient  
37 treatment, and is provided to individuals who meet the placement  
38 criteria for this component.

39 7. "Medication-assisted treatment for opiate addiction" is  
40 a service that uses methadone or other medication as authorized



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41 by state and federal law, in combination with medical,  
42 rehabilitative, and counseling services in the treatment of  
43 individuals who are dependent on opioid drugs.

44 8. "Outpatient treatment" is a service that provides  
45 individual, group, or family counseling by appointment during  
46 scheduled operating hours for individuals who meet the placement  
47 criteria for this component.

48 9. "Residential treatment" is a service provided in a  
49 structured live-in environment within a nonhospital setting on a  
50 24 hours-per-day, 7 days-per-week basis, and is intended for  
51 individuals who meet the placement criteria for this component.

52 (b) "Intervention" means structured services targeted  
53 toward individuals or groups at risk of substance abuse and  
54 focused on reducing or impeding those factors associated with  
55 the onset or the early stages of substance use and related  
56 problems.

57 (c) "Prevention" means a process involving strategies aimed  
58 at the individual, family, community, or substance, that  
59 precludes, forestalls, or impedes the development of substance  
60 use problems and promotes responsible lifestyles.

61 ~~(a) Addictions receiving facility, which is a community-~~  
62 ~~based facility designated by the department to receive, screen,~~  
63 ~~and assess clients found to be substance abuse impaired, in need~~  
64 ~~of emergency treatment for substance abuse impairment, or~~  
65 ~~impaired by substance abuse to such an extent as to meet the~~  
66 ~~criteria for involuntary admission in s. 397.675, and to provide~~  
67 ~~detoxification and stabilization. An addictions receiving~~  
68 ~~facility must be state-owned, state-operated, or state-~~  
69 ~~contracted, and licensed pursuant to rules adopted by the~~



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70 ~~department's Substance Abuse Program Office which include~~  
71 ~~specific authorization for the provision of levels of care and a~~  
72 ~~requirement of separate accommodations for adults and minors.~~  
73 ~~Addictions receiving facilities are designated as secure~~  
74 ~~facilities to provide an intensive level of care and must have~~  
75 ~~sufficient staff and the authority to provide environmental~~  
76 ~~security to handle aggressive and difficult to manage behavior~~  
77 ~~and deter elopement.~~

78 ~~(b) Detoxification, which uses medical and psychological~~  
79 ~~procedures and a supportive counseling regimen to assist clients~~  
80 ~~in managing toxicity and withdrawing and stabilizing from the~~  
81 ~~physiological and psychological effects of substance abuse~~  
82 ~~impairment.~~

83 ~~(c) Intensive inpatient treatment, which includes a planned~~  
84 ~~regimen of professionally directed evaluation, observation,~~  
85 ~~medical monitoring, and clinical protocols provided 24 hours per~~  
86 ~~day, 7 days per week, in a highly structured, live-in~~  
87 ~~environment.~~

88 ~~(d) Residential treatment, which provides a structured,~~  
89 ~~live-in environment within a nonhospital setting on a 24-hours-~~  
90 ~~a-day, 7-days-a-week basis, and which includes:~~

91 ~~1. Facilities that provide room and board and treatment and~~  
92 ~~rehabilitation within the primary residential facility; and~~

93 ~~2. Facilities that are used for room and board only and in~~  
94 ~~which treatment and rehabilitation activities are provided on a~~  
95 ~~mandatory basis at locations other than the primary residential~~  
96 ~~facility. In this case, facilities used for room and board and~~  
97 ~~for treatment and rehabilitation are operated under the auspices~~  
98 ~~of the same provider, and licensing and regulatory requirements~~



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99 ~~would apply to both the residential facility and all other~~  
100 ~~facilities in which treatment and rehabilitation activities~~  
101 ~~occur.~~

102 ~~(e) Day and night treatment, which provides a~~  
103 ~~nonresidential environment with a structured schedule of~~  
104 ~~treatment and rehabilitation services.~~

105 ~~(f) Outpatient treatment, which provides individual, group,~~  
106 ~~or family counseling for clients by appointment during scheduled~~  
107 ~~operating hours, with an emphasis on assessment and treatment.~~

108 ~~(g) Medication and methadone maintenance treatment that~~  
109 ~~uses methadone or other medication as authorized by state and~~  
110 ~~federal law, in conjunction with medical, rehabilitative, and~~  
111 ~~counseling services in the treatment of clients who are~~  
112 ~~dependent upon opioid drugs.~~

113 ~~(h) Prevention, which is a process involving strategies~~  
114 ~~aimed at the individual, the environment, or the substance,~~  
115 ~~which strategies preclude, forestall, or impede the development~~  
116 ~~of substance abuse problems and promote responsible personal and~~  
117 ~~social growth of individuals and families toward full human~~  
118 ~~potential.~~

119 ~~(i) Intervention, which consists of structured services~~  
120 ~~targeted toward individuals or groups at risk and focused on~~  
121 ~~reducing those factors associated with the onset or the early~~  
122 ~~stages of substance abuse, and related problems.~~

123 (18) "Medication-Assisted Treatment (MAT)" is the use of  
124 medications approved by the United States Food and Drug  
125 Administration, in combination with counseling and behavioral  
126 therapies, to provide a holistic approach to the treatment of  
127 substance use disorders.



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128           (19) "Medical monitoring" means oversight and treatment, 24  
129 hours per day by medical personnel who are licensed under  
130 chapter 458, chapter 459, or chapter 464, of individuals ~~clients~~  
131 whose subacute ~~biomedical, emotional, psychosocial, behavioral,~~  
132 ~~or cognitive~~ problems are so severe that the individuals ~~clients~~  
133 require intensive inpatient treatment by an interdisciplinary  
134 team.

135           (20) "Not for profit" means registered as not for profit by  
136 the Secretary of State and recognized by the Internal Revenue  
137 Service as a not-for-profit entity.

138           (21) "Physician" means a person licensed under chapter 458  
139 to practice medicine or licensed under chapter 459 to practice  
140 osteopathic medicine, and may include, if the context so  
141 indicates, an intern or resident enrolled in an intern or  
142 resident training program affiliated with an approved medical  
143 school, hospital, or other facility through which training  
144 programs are normally conducted.

145           ~~(22) "Preliminary screening" means the gathering of initial~~  
146 ~~information to be used in determining a person's need for~~  
147 ~~assessment or for referral.~~

148           (22)~~(23)~~ "Private practitioner" means a physician licensed  
149 under chapter 458 or chapter 459, a psychologist licensed under  
150 chapter 490, or a clinical social worker, marriage and family  
151 therapist, or mental health counselor licensed under chapter  
152 491.

153           (23)~~(24)~~ "Program evaluation" or "evaluation" means a  
154 systematic measurement of a service provider's achievement of  
155 desired individual ~~client~~ or service outcomes.

156           (24)~~(25)~~ "Qualified professional" means a physician



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157 licensed under chapter 458 or chapter 459; a professional  
158 licensed under chapter 490 or chapter 491; an advanced  
159 registered nurse practitioner licensed under part I of chapter  
160 464; or a person who is certified through a department-  
161 recognized certification process for substance abuse treatment  
162 services and who holds, at a minimum, a bachelor's degree. A  
163 person who is certified in substance abuse treatment services by  
164 a state-recognized certification process in another state at the  
165 time of employment with a licensed substance abuse provider in  
166 this state may perform the functions of a qualified professional  
167 as defined in this chapter but must meet certification  
168 requirements contained in this subsection no later than 1 year  
169 after his or her date of employment.

170 (25) "Quality improvement" means a systematic and organized  
171 approach to monitor and continuously improve the quality of  
172 services in order to maintain, restore, or improve outcomes in  
173 individuals and populations throughout a system of care.

174 (26) "Recovery" means a process of personal change through  
175 which individuals achieve abstinence from alcohol or drug use  
176 and improve health, wellness, and quality of life.

177 (27) "Recovery support" means services designed to  
178 strengthen or assist individuals to regain skills, develop the  
179 environmental supports necessary to help the individual thrive  
180 in the community, and meet life goals that promote recovery from  
181 alcohol and drug use. These services include, but are not  
182 limited to, economic, vocational, employment, educational,  
183 housing, and other ancillary services.

184 (28) "Screening" means the gathering of initial information  
185 to be used in determining a person's need for assessment,



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186 services, or referral.

187 ~~(26) "Quality assurance" means the objective and internal~~  
188 ~~systematic monitoring of the appropriateness and quality of~~  
189 ~~client care rendered by a service provider.~~

190 ~~(29)(27)~~ "Secure facility," except where the context  
191 indicates a correctional system facility, means a provider that  
192 has the authority to deter the premature departure of  
193 involuntary individuals ~~clients~~ whose leaving constitutes a  
194 violation of a court order or community-based supervision as  
195 provided by law. The term "secure facility" includes addictions  
196 receiving facilities and facilities authorized by local  
197 ordinance for the treatment of habitual abusers.

198 (30) "Service component" or "component" means a discrete  
199 operational entity within a service provider that is subject to  
200 licensing as defined by rule. Service components include  
201 prevention, intervention, and clinical treatment described in  
202 subsection (17).

203 ~~(31)(28)~~ "Service provider" or "provider" means a public  
204 agency, a private for-profit or not-for-profit agency, a person  
205 who is a private practitioner, or a hospital licensed under this  
206 chapter or exempt from licensure under this chapter.

207 ~~(32)(29)~~ "Service provider personnel" or "personnel"  
208 includes all owners, directors, chief financial officers, staff,  
209 and volunteers, including foster parents, of a service provider.

210 ~~(33)(30)~~ "Stabilization" means:

- 211 (a) Alleviation of a crisis condition; or  
212 (b) Prevention of further deterioration,

213  
214 and connotes short-term emergency treatment.





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215           (34) "Substate entity" means a departmental office  
216 designated to serve a geographical area specified by the  
217 department.

218           (35) "System of care" means a coordinated continuum of  
219 community-based services and supports that are organized to meet  
220 the challenges and needs of individuals who are at risk of  
221 developing substance abuse problems or individuals who have  
222 substance abuse problems.

223           (36) "Treatment plan" means an immediate and a long-range  
224 plan based upon an individual's assessed needs and used to  
225 address and monitor an individual's recovery from substance  
226 abuse.