



604168

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/11/2015	.	
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	.	
	.	

Appropriations Subcommittee on Health and Human Services (Smith) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (7) and (32) of section 397.311, Florida Statutes, are amended, present subsections (4) and (5), present subsections (6) through (28), and present subsections (29) through (39) are renumbered as subsections (7) and (8), subsections (10) through (32), and subsections (35) through (45), respectively, new subsections (4), (5), (6), (9),



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11 (33), and (34) are added to that section, to read:

12 397.311 Definitions.—As used in this chapter, except part
13 VIII, the term:

14 (4) "Certificate of compliance" means a certificate that is
15 issued by a credentialing entity to a recovery residence or a
16 recovery residence administrator.

17 (5) "Certified recovery residence" means a recovery
18 residence that holds a valid certificate of compliance and is
19 actively managed by a certified recovery residence
20 administrator.

21 (6) "Certified recovery residence administrator" means a
22 recovery residence administrator who holds a valid certificate
23 of compliance.

24 (9) "Credentialing entity" means a nonprofit organization
25 that develops and administers professional, facility, or
26 organization certification programs according to applicable
27 nationally recognized certification or psychometric standards.

28 (11) ~~(7)~~ "Director" means the chief administrative or
29 executive officer of a service provider or recovery residence.

30 (33) "Recovery residence" means a residential dwelling
31 unit, or other form of group housing, which is offered or
32 advertised through any means, including oral, written,
33 electronic, or printed means, by any person or entity as a
34 residence that provides a peer-supported, alcohol-free, and
35 drug-free living environment.

36 (34) "Recovery residence administrator" means the person
37 responsible for the overall management of the recovery
38 residence, including, but not limited to, the supervision of
39 residents and staff employed by, or volunteering for, the



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40 residence.

41 (38)~~(32)~~ "Service component" or "component" means a
42 discrete operational entity within a service provider which is
43 subject to licensing as defined by rule. Service components
44 include prevention, intervention, and clinical treatment
45 described in subsection (22) ~~(18)~~.

46 Section 2. Section 397.487, Florida Statutes, is created to
47 read:

48 397.487 Voluntary certification of recovery residences.—

49 (1) The Legislature finds that a person suffering from
50 addiction has a higher success rate of achieving long-lasting
51 sobriety when given the opportunity to build a stronger
52 foundation by living in a recovery residence after completing
53 treatment. The Legislature further finds that this state and its
54 subdivisions have a legitimate state interest in protecting
55 these persons, who represent a vulnerable consumer population in
56 need of adequate housing. It is the intent of the Legislature to
57 protect persons who reside in a recovery residence.

58 (2) The department shall approve at least one credentialing
59 entity by December 1, 2015, for the purpose of developing and
60 administering a voluntary certification program for recovery
61 residences. The approved credentialing entity shall:

62 (a) Establish recovery residence certification
63 requirements.

64 (b) Establish procedures to:

65 1. Administer the application, certification,
66 recertification, and disciplinary processes.

67 2. Monitor and inspect a recovery residence and its staff
68 to ensure compliance with certification requirements.



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- 69 3. Interview and evaluate residents, employees, and
70 volunteer staff on their knowledge and application of
71 certification requirements.
- 72 (c) Provide training for owners, managers, and staff.
73 (d) Develop a code of ethics.
- 74 (e) Establish application, inspection, and annual
75 certification renewal fees. The application fee may not exceed
76 \$100. Any onsite inspection fee shall reflect actual costs for
77 inspections. The annual certification renewal fee may not exceed
78 \$100.
- 79 (3) A credentialing entity shall require the recovery
80 residence to submit the following documents with the completed
81 application and fee:
- 82 (a) A policy and procedures manual containing:
83 1. Job descriptions for all staff positions.
84 2. Drug-testing procedures and requirements.
85 3. A prohibition on the premises against alcohol, illegal
86 drugs, and the use of prescribed medications by an individual
87 other than the individual for whom the medication is prescribed.
- 88 4. Policies to support a resident's recovery efforts.
89 5. A good neighbor policy to address neighborhood concerns
90 and complaints.
- 91 (b) Rules for residents.
92 (c) Copies of all forms provided to residents.
93 (d) Intake procedures.
94 (e) Sexual Offender/Predator Registry Compliance Policy
95 (f) Relapse policy.
96 (g) Fee schedule.
97 (h) Refund policy.



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98 (i) Eviction procedures and policy.

99 (j) Code of ethics.

100 (k) Proof of insurance.

101 (l) Proof of background screening.

102 (m) Proof of satisfactory fire, safety, and health
103 inspections.

104 (4) A certified recovery residence must be actively managed
105 by a certified recovery residence administrator. All
106 applications for certification must include the name of the
107 certified recovery residence administrator who will be actively
108 managing the applicant recovery residence.

109 (5) Upon receiving a completed application and fee, a
110 credentialing entity shall conduct an onsite inspection of the
111 recovery residence.

112 (6) All owners, directors, and chief financial officers of
113 an applicant recovery residence are subject to level 2
114 background screening as provided under chapter 435. A recovery
115 residence is ineligible for certification, and a credentialing
116 entity shall deny a recovery residence's application if any
117 owner, director, or chief financial officer has been found
118 guilty of, regardless of adjudication, or has entered a plea of
119 nolo contendere or guilty to any offense listed in s. 435.04(2),
120 unless the department has issued an exemption under s. 397.4872.
121 In accordance with s. 435.04, the department shall notify the
122 credentialing agency of an owner's, director's or chief
123 financial officer's eligibility based on the results of a
124 background screening.

125 (7) A credentialing entity shall issue a certificate of
126 compliance upon approval of the recovery residence's application



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127 and inspection. The certification shall automatically terminate
128 1 year after issuance if not renewed.

129 (8) Onsite followup monitoring of any certified recovery
130 residence may be conducted by the credentialing entity to
131 determine continuing compliance with certification requirements.
132 The credentialing entity shall inspect each certified recovery
133 residence at least annually to ensure compliance.

134 (a) A credentialing entity may suspend or revoke a
135 certificate of compliance if the recovery residence is not in
136 compliance with any provision of this section or has failed to
137 remedy any deficiency identified by the credentialing entity
138 within the time period specified.

139 (b) A certified recovery residence must notify the
140 credentialing entity within 3 business days of the removal of
141 the recovery residence's certified recovery residence
142 administrator due to termination, resignation or any other
143 reason. The recovery residence shall have 30 days to retain a
144 certified recovery residence administrator. The credentialing
145 entity shall revoke the certificate of compliance of any
146 recovery residence that fails to meet these requirements.

147 (c) If any owner, director, or chief financial officer of a
148 certified recovery residence is arrested or found guilty of,
149 regardless of adjudication, or has entered a plea of nolo
150 contendere or guilty to any offense listed in s. 435.04(2),
151 while acting in that capacity, the certified recovery residence
152 shall immediately remove the person from that position and shall
153 notify the credentialing entity within 3 business days after
154 such removal. The credentialing entity shall revoke the
155 certificate of compliance of any recovery residence that fails



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156 to meet these requirements.

157 (d) A credentialing entity shall revoke a recovery
158 residence's certificate of compliance if the recovery residence
159 provides false or misleading information to the credentialing
160 entity at any time.

161 (9) A person may not advertise to the public, in any way or
162 by any medium whatsoever, any recovery residence as a "certified
163 recovery residence" unless such recovery residence has first
164 secured a certificate of compliance under this section. A person
165 who violates this subsection commits a misdemeanor of the first
166 degree, punishable as provided in s. 775.082 or s. 775.083.

167 Section 3. Section 397.4871, Florida Statutes, is created
168 to read:

169 397.4871 Recovery residence administrator certification.-

170 (1) It is the intent of the Legislature that a recovery
171 residence administrator voluntarily earn and maintain
172 certification from a credentialing entity approved by the
173 Department of Children and Families. The Legislature further
174 intends that certification ensure that an administrator has the
175 competencies necessary to appropriately respond to the needs of
176 residents, to maintain residence standards, and to meet
177 residence certification requirements.

178 (2) The department shall approve at least one credentialing
179 entity by December 1, 2015, for the purpose of developing and
180 administering a voluntary credentialing program for
181 administrators. The department shall approve any credentialing
182 entity that the department endorses pursuant to s. 397.321(16)
183 if the credentialing entity also meets the requirements of this
184 section. The approved credentialing entity shall:



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185 (a) Establish recovery residence administrator core
186 competencies, certification requirements, testing instruments,
187 and recertification requirements according to applicable
188 nationally recognized certification and psychometric standards.

189 (b) Establish a process to administer the certification
190 application, award, and maintenance processes.

191 (c) Develop and administer:

192 1. A code of ethics and disciplinary process.

193 2. Biennial continuing education requirements and annual
194 certification renewal requirements.

195 3. An education provider program to approve training
196 entities that are qualified to provide precertification training
197 to applicants and continuing education opportunities to
198 certified persons.

199 (3) A credentialing entity shall establish a certification
200 program that:

201 (a) Is established according to applicable nationally
202 recognized certification and psychometric standards.

203 (b) Is directly related to the core competencies.

204 (c) Establishes minimum requirements in each of the
205 following categories:

206 1. Training.

207 2. On-the-job work experience.

208 3. Supervision.

209 4. Testing.

210 5. Biennial continuing education.

211 (d) Requires adherence to a code of ethics and provides for
212 a disciplinary process that applies to certified persons.

213 (e) Approves qualified training entities that provide



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214 precertification training to applicants and continuing education
215 to certified recovery residence administrators. To avoid a
216 conflict of interest, a credentialing entity or its affiliate
217 may not deliver training to an applicant or continuing education
218 to a certificateholder.

219 (4) A credentialing entity shall establish application,
220 examination, and certification fees and an annual certification
221 renewal fee. The application, examination, and certification
222 fees may not exceed \$225. The annual certification renewal fee
223 may not exceed \$100.

224 (5) All applicants are subject to level 2 background
225 screening as provided under chapter 435. An applicant is
226 ineligible, and a credentialing entity shall deny the
227 application if the applicant has been found guilty of,
228 regardless of adjudication, or has entered a plea of nolo
229 contendere or guilty to any offense listed in s. 435.04(2),
230 unless the department has issued an exemption under s. 397.4872.
231 In accordance with s. 435.04, the department shall notify the
232 credentialing agency of the applicant's eligibility based on the
233 results of a background screening.

234 (6) The credentialing entity shall issue a certificate of
235 compliance upon approval of a person's application. The
236 certification shall automatically terminate 1 year after
237 issuance if not renewed.

238 (a) A credentialing entity may suspend or revoke the
239 recovery residence administrator's certificate of compliance if
240 the recovery residence administrator fails to adhere to the
241 continuing education requirements.

242 (b) If a certified recovery residence administrator of a



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243 recovery residence is arrested or found guilty of, regardless of
244 adjudication, or has entered a plea of nolo contendere or guilty
245 to any offense listed in s. 435.04(2), the recovery residence
246 shall immediately remove the recovery residence administrator
247 from that position and shall notify the credentialing entity
248 within 3 business days after such removal. The recovery
249 residence shall have 30 days to retain a certified recovery
250 residence administrator. The credentialing entity shall revoke
251 the certificate of compliance of any recovery residence which
252 fails to meet these requirements.

253 (c) A credentialing entity shall revoke a recovery
254 residence administrator's certificate of compliance if the
255 recovery residence administrator provides false or misleading
256 information to the credentialing entity at any time.

257 (7) A person may not advertise himself or herself to the
258 public, in any way or by any medium whatsoever, as a "certified
259 recovery residence administrator" unless he or she has first
260 secured a certificate of compliance under this section. A person
261 who violates this subsection commits a misdemeanor of the first
262 degree, punishable as provided in s. 775.082 or s. 775.083.

263 (8) A certified recovery residence administrator may not
264 actively manage more than one recovery residence at any given
265 time.

266 Section 4. Section 397.4872, Florida Statutes, is created
267 to read:

268 397.4872 Exemption from disqualification; publication.—

269 (1) Individual exemptions from staff disqualification or
270 administrator ineligibility may be requested if a recovery
271 residence deems the decision will benefit the program. Requests



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272 for exemptions shall be submitted in writing to the department
273 within 20 days of the denial by the credentialing entity and
274 must include a justification for the exemption.

275 (2) The department may exempt a person from ss. 397.487(6)
276 and 397.4871(5) if it has been at least 3 years since the person
277 has completed or been lawfully released from confinement,
278 supervision, or sanction for the disqualifying offense. An
279 exemption from the disqualifying offenses may not be given under
280 any circumstances for any person who is a:

281 (a) Sexual predator pursuant to s. 775.21;

282 (b) Career offender pursuant to s. 775.261; or

283 (c) Sexual offender pursuant to s. 943.0435, unless the
284 requirement to register as a sexual offender has been removed
285 pursuant to s. 943.04354.

286 (3) By April 1, 2016, each credentialing entity shall
287 submit a list to the department of all recovery residences and
288 recovery residence administrators certified by the credentialing
289 entity which hold a valid certificate of compliance. Thereafter,
290 the credentialing entity must notify the department within 3
291 business days after a new recovery residence or recovery
292 residence administrator is certified or a recovery residence's
293 or recovery residence administrator's certificate expires or is
294 terminated. The department shall publish on its website a list
295 of all recovery residences that hold a valid certificate of
296 compliance. The department shall also publish on its website a
297 list of all recovery residence administrators that hold a valid
298 certificate of compliance. A recovery residence or recovery
299 residence administrator shall be excluded from the list upon
300 written request to the department by the listed individual or



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301 entity.

302 Section 5. Subsections (1) and (5) of section 397.407,
303 Florida Statutes, are amended, and subsection (11) is added to
304 that section, to read:

305 397.407 Licensure process; fees.—

306 (1) The department shall establish by rule the licensure
307 process to include fees and categories of licenses. The rule
308 must prescribe a fee range that is based, at least in part, on
309 the number and complexity of programs listed in s. 397.311(22)
310 ~~397.311(18)~~ which are operated by a licensee. The fees from the
311 licensure of service components are sufficient to cover at least
312 50 percent of the costs of regulating the service components.
313 The department shall specify by rule a fee range for public and
314 privately funded licensed service providers. Fees for privately
315 funded licensed service providers must exceed the fees for
316 publicly funded licensed service providers. During adoption of
317 the rule governing the licensure process and fees, the
318 department shall carefully consider the potential adverse impact
319 on small, not-for-profit service providers.

320 (5) The department may issue probationary, regular, and
321 interim licenses. After adopting the rule governing the
322 licensure process and fees, the department shall issue one
323 license for each service component that is operated by a service
324 provider and defined in rule pursuant to s. 397.311(22)
325 ~~397.311(18)~~. The license is valid only for the specific service
326 components listed for each specific location identified on the
327 license. The licensed service provider shall apply for a new
328 license at least 60 days before the addition of any service
329 components or 30 days before the relocation of any of its



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330 service sites. Provision of service components or delivery of
331 services at a location not identified on the license may be
332 considered an unlicensed operation that authorizes the
333 department to seek an injunction against operation as provided
334 in s. 397.401, in addition to other sanctions authorized by s.
335 397.415. Probationary and regular licenses may be issued only
336 after all required information has been submitted. A license may
337 not be transferred. As used in this subsection, the term
338 "transfer" includes, but is not limited to, the transfer of a
339 majority of the ownership interest in the licensed entity or
340 transfer of responsibilities under the license to another entity
341 by contractual arrangement.

342 (11) Effective July 1, 2016, a service provider licensed
343 under this part may not refer a current or discharged patient to
344 a recovery residence unless the recovery residence holds a valid
345 certificate of compliance as provided in s. 397.487 and is
346 actively managed by a certified recovery residence administrator
347 as provided in s. 397.4871, or is owned and operated by a
348 licensed service provider or a licensed service provider's
349 wholly owned subsidiary. For purposes of this subsection, the
350 term "refer" means to inform a patient by any means about the
351 name, address, or other details of the recovery residence.
352 However, this subsection does not require a licensed service
353 provider to refer any patient to a recovery residence.

354 Section 6. Paragraph (e) of subsection (5) of section
355 212.055, Florida Statutes, is amended to read:

356 212.055 Discretionary sales surtaxes; legislative intent;
357 authorization and use of proceeds.—It is the legislative intent
358 that any authorization for imposition of a discretionary sales



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359 surtax shall be published in the Florida Statutes as a
360 subsection of this section, irrespective of the duration of the
361 levy. Each enactment shall specify the types of counties
362 authorized to levy; the rate or rates which may be imposed; the
363 maximum length of time the surtax may be imposed, if any; the
364 procedure which must be followed to secure voter approval, if
365 required; the purpose for which the proceeds may be expended;
366 and such other requirements as the Legislature may provide.
367 Taxable transactions and administrative procedures shall be as
368 provided in s. 212.054.

369 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in
370 s. 125.011(1) may levy the surtax authorized in this subsection
371 pursuant to an ordinance either approved by extraordinary vote
372 of the county commission or conditioned to take effect only upon
373 approval by a majority vote of the electors of the county voting
374 in a referendum. In a county as defined in s. 125.011(1), for
375 the purposes of this subsection, "county public general
376 hospital" means a general hospital as defined in s. 395.002
377 which is owned, operated, maintained, or governed by the county
378 or its agency, authority, or public health trust.

379 (e) A governing board, agency, or authority shall be
380 chartered by the county commission upon this act becoming law.
381 The governing board, agency, or authority shall adopt and
382 implement a health care plan for indigent health care services.
383 The governing board, agency, or authority shall consist of no
384 more than seven and no fewer than five members appointed by the
385 county commission. The members of the governing board, agency,
386 or authority shall be at least 18 years of age and residents of
387 the county. No member may be employed by or affiliated with a



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388 health care provider or the public health trust, agency, or
389 authority responsible for the county public general hospital.
390 The following community organizations shall each appoint a
391 representative to a nominating committee: the South Florida
392 Hospital and Healthcare Association, the Miami-Dade County
393 Public Health Trust, the Dade County Medical Association, the
394 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
395 County. This committee shall nominate between 10 and 14 county
396 citizens for the governing board, agency, or authority. The
397 slate shall be presented to the county commission and the county
398 commission shall confirm the top five to seven nominees,
399 depending on the size of the governing board. Until such time as
400 the governing board, agency, or authority is created, the funds
401 provided for in subparagraph (d)2. shall be placed in a
402 restricted account set aside from other county funds and not
403 disbursed by the county for any other purpose.

404 1. The plan shall divide the county into a minimum of four
405 and maximum of six service areas, with no more than one
406 participant hospital per service area. The county public general
407 hospital shall be designated as the provider for one of the
408 service areas. Services shall be provided through participants'
409 primary acute care facilities.

410 2. The plan and subsequent amendments to it shall fund a
411 defined range of health care services for both indigent persons
412 and the medically poor, including primary care, preventive care,
413 hospital emergency room care, and hospital care necessary to
414 stabilize the patient. For the purposes of this section,
415 "stabilization" means stabilization as defined in s. 397.311(41)
416 ~~397.311(35)~~. Where consistent with these objectives, the plan



417 may include services rendered by physicians, clinics, community
418 hospitals, and alternative delivery sites, as well as at least
419 one regional referral hospital per service area. The plan shall
420 provide that agreements negotiated between the governing board,
421 agency, or authority and providers shall recognize hospitals
422 that render a disproportionate share of indigent care, provide
423 other incentives to promote the delivery of charity care to draw
424 down federal funds where appropriate, and require cost
425 containment, including, but not limited to, case management.
426 From the funds specified in subparagraphs (d)1. and 2. for
427 indigent health care services, service providers shall receive
428 reimbursement at a Medicaid rate to be determined by the
429 governing board, agency, or authority created pursuant to this
430 paragraph for the initial emergency room visit, and a per-member
431 per-month fee or capitation for those members enrolled in their
432 service area, as compensation for the services rendered
433 following the initial emergency visit. Except for provisions of
434 emergency services, upon determination of eligibility,
435 enrollment shall be deemed to have occurred at the time services
436 were rendered. The provisions for specific reimbursement of
437 emergency services shall be repealed on July 1, 2001, unless
438 otherwise reenacted by the Legislature. The capitation amount or
439 rate shall be determined prior to program implementation by an
440 independent actuarial consultant. In no event shall such
441 reimbursement rates exceed the Medicaid rate. The plan must also
442 provide that any hospitals owned and operated by government
443 entities on or after the effective date of this act must, as a
444 condition of receiving funds under this subsection, afford
445 public access equal to that provided under s. 286.011 as to any



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446 meeting of the governing board, agency, or authority the subject
447 of which is budgeting resources for the retention of charity
448 care, as that term is defined in the rules of the Agency for
449 Health Care Administration. The plan shall also include
450 innovative health care programs that provide cost-effective
451 alternatives to traditional methods of service and delivery
452 funding.

453 3. The plan's benefits shall be made available to all
454 county residents currently eligible to receive health care
455 services as indigents or medically poor as defined in paragraph
456 (4) (d).

457 4. Eligible residents who participate in the health care
458 plan shall receive coverage for a period of 12 months or the
459 period extending from the time of enrollment to the end of the
460 current fiscal year, per enrollment period, whichever is less.

461 5. At the end of each fiscal year, the governing board,
462 agency, or authority shall prepare an audit that reviews the
463 budget of the plan, delivery of services, and quality of
464 services, and makes recommendations to increase the plan's
465 efficiency. The audit shall take into account participant
466 hospital satisfaction with the plan and assess the amount of
467 poststabilization patient transfers requested, and accepted or
468 denied, by the county public general hospital.

469 Section 7. Subsection (6) of section 394.9085, Florida
470 Statutes, is amended to read:

471 394.9085 Behavioral provider liability.—

472 (6) For purposes of this section, the terms "detoxification
473 services," "addictions receiving facility," and "receiving
474 facility" have the same meanings as those provided in ss.



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475 397.311(22)(a)4. ~~397.311(18)(a)4.~~, 397.311(22)(a)1.
476 ~~397.311(18)(a)1.~~, and 394.455(26), respectively.

477 Section 8. Subsection (8) of section 397.405, Florida
478 Statutes, is amended to read:

479 397.405 Exemptions from licensure.—The following are exempt
480 from the licensing provisions of this chapter:

481 (8) A legally cognizable church or nonprofit religious
482 organization or denomination providing substance abuse services,
483 including prevention services, which are solely religious,
484 spiritual, or ecclesiastical in nature. A church or nonprofit
485 religious organization or denomination providing any of the
486 licensed service components itemized under s. 397.311(22)
487 ~~397.311(18)~~ is not exempt from substance abuse licensure but
488 retains its exemption with respect to all services which are
489 solely religious, spiritual, or ecclesiastical in nature.

490
491 The exemptions from licensure in this section do not apply to
492 any service provider that receives an appropriation, grant, or
493 contract from the state to operate as a service provider as
494 defined in this chapter or to any substance abuse program
495 regulated pursuant to s. 397.406. Furthermore, this chapter may
496 not be construed to limit the practice of a physician or
497 physician assistant licensed under chapter 458 or chapter 459, a
498 psychologist licensed under chapter 490, a psychotherapist
499 licensed under chapter 491, or an advanced registered nurse
500 practitioner licensed under part I of chapter 464, who provides
501 substance abuse treatment, so long as the physician, physician
502 assistant, psychologist, psychotherapist, or advanced registered
503 nurse practitioner does not represent to the public that he or



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504 she is a licensed service provider and does not provide services
505 to individuals pursuant to part V of this chapter. Failure to
506 comply with any requirement necessary to maintain an exempt
507 status under this section is a misdemeanor of the first degree,
508 punishable as provided in s. 775.082 or s. 775.083.

509 Section 9. Section 397.416, Florida Statutes, is amended to
510 read:

511 397.416 Substance abuse treatment services; qualified
512 professional.—Notwithstanding any other provision of law, a
513 person who was certified through a certification process
514 recognized by the former Department of Health and Rehabilitative
515 Services before January 1, 1995, may perform the duties of a
516 qualified professional with respect to substance abuse treatment
517 services as defined in this chapter, and need not meet the
518 certification requirements contained in s. 397.311(30)
519 ~~397.311(26)~~.

520 Section 10. Paragraphs (d) and (g) of subsection (1) of
521 section 440.102, Florida Statutes, are amended to read:

522 440.102 Drug-free workplace program requirements.—The
523 following provisions apply to a drug-free workplace program
524 implemented pursuant to law or to rules adopted by the Agency
525 for Health Care Administration:

526 (1) DEFINITIONS.—Except where the context otherwise
527 requires, as used in this act:

528 (d) "Drug rehabilitation program" means a service provider,
529 established pursuant to s. 397.311(39) ~~397.311(33)~~, that
530 provides confidential, timely, and expert identification,
531 assessment, and resolution of employee drug abuse.

532 (g) "Employee assistance program" means an established



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533 program capable of providing expert assessment of employee
534 personal concerns; confidential and timely identification
535 services with regard to employee drug abuse; referrals of
536 employees for appropriate diagnosis, treatment, and assistance;
537 and followup services for employees who participate in the
538 program or require monitoring after returning to work. If, in
539 addition to the above activities, an employee assistance program
540 provides diagnostic and treatment services, these services shall
541 in all cases be provided by service providers pursuant to s.
542 397.311(39) ~~397.311(33)~~.

543 Section 11. This act shall take effect July 1, 2015.

544
545 ===== T I T L E A M E N D M E N T =====

546 And the title is amended as follows:

547 Delete everything before the enacting clause
548 and insert:

549 A bill to be entitled
550 An act relating to substance abuse services; amending
551 s. 397.311, F.S.; providing definitions; conforming a
552 cross-reference; creating s. 397.487, F.S.; providing
553 legislative findings and intent; requiring the
554 Department of Children and Families to create a
555 voluntary certification program for recovery
556 residences; directing the department to approve at
557 least one credentialing entity by a specified date to
558 develop and administer the certification program;
559 requiring an approved credentialing entity to
560 establish procedures for certifying recovery
561 residences that meet certain qualifications; requiring



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562 an approved credentialing entity to establish certain
563 fees; requiring a credentialing entity to conduct
564 onsite inspections of a recovery residence; requiring
565 background screening of owners, directors, and chief
566 financial officers of a recovery residence; providing
567 for denial, suspension, or revocation of
568 certification; requiring a certified recovery
569 residence to notify the credentialing entity within a
570 certain time of the removal of the recovery
571 residence's certified recovery residence
572 administrator; providing a criminal penalty for
573 falsely advertising a recovery residence as a
574 "certified recovery residence"; creating s. 397.4871,
575 F.S.; providing legislative intent; requiring the
576 department to create a voluntary certification program
577 for recovery residence administrators; directing the
578 department to approve at least one credentialing
579 entity by a specified date to develop and administer
580 the certification program; requiring an approved
581 credentialing entity to establish a process for
582 certifying recovery residence administrators who meet
583 certain qualifications; requiring a certifies recovery
584 residence to be actively managed by a certified
585 recovery residence administrator; requiring certain
586 applications to include specified information;
587 requiring an approved credentialing entity to
588 establish certain fees; requiring background screening
589 of applicants for recovery residence administrator
590 certification; requiring the department to notify the



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591 credentiaing agency of an applicant's eligibility
592 based on the background screening results; providing
593 for denial, suspension, or revocation of
594 certification; requiring a certified recovery
595 residence to notify the credentialing entity within a
596 certain time of the removal providing a criminal
597 penalty for falsely advertising oneself as a
598 "certified recovery residence administrator";
599 prohibiting a certified recovery residence
600 administrator from actively managing more than once
601 recovery residence at the same time; creating s.
602 397.4872, F.S.; providing exemptions from
603 disqualifying offenses; requiring credentialing
604 entities to provide the department with a list of all
605 certified recovery residences and recovery residence
606 administrators by a date certain; requiring the
607 department to publish the list on its website;
608 allowing recovery residences and recovery residence
609 administrators to be excluded from the list upon
610 written request to the department; amending s.
611 397.407, F.S.; conforming cross-references; providing
612 conditions for a licensed service provider to refer
613 patients to a certified recovery residence or a
614 recovery residence owned and operated by the licensed
615 service provider; defining the term "refer"; amending
616 ss. 212.055, 394.9085, 397.405, 397.416, and 440.102,
617 F.S.; conforming cross-references; providing an
618 effective date.