



606494

LEGISLATIVE ACTION

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

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

1 **Senate Substitute for Amendment (604168) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

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



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11 amended, and new subsections (4), (5), (6), (9), (33), and (34)
12 are added to that section, to read:

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

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

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

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

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

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

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

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



40 staff employed by, or volunteering for, the 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 complete application, a credentialing
110 entity shall conduct an onsite inspection of the recovery
111 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, or has entered a plea of guilty or nolo contendere
119 to, regardless of adjudication, any offense listed in s.
120 435.04(2) unless the department has issued an exemption under s.
121 397.4872. In accordance with s. 435.04, the department shall
122 notify the credentialing agency of an owner's, director's or
123 chief 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 a 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 certification if the recovery residence is not in compliance
136 with any provision of this section or has failed to remedy any
137 deficiency identified by the credentialing entity within the
138 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 for or found guilty of,
149 or enters a plea of guilty or nolo contendere to, regardless of
150 adjudication, any offense listed in s. 435.04(2) while acting in
151 that capacity, the certified recovery residence shall
152 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 a recovery residence that fails to



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156 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.

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

190 (c) Develop and administer:

191 1. A code of ethics and disciplinary process.

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

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

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

200 (a) Is directly related to the core competencies.

201 (b) Establishes minimum requirements in each of the
202 following categories:

203 1. Training.

204 2. On-the-job work experience.

205 3. Supervision.

206 4. Testing.

207 5. Biennial continuing education.

208 (c) Requires adherence to a code of ethics and provides for
209 a disciplinary process that applies to certified persons.

210 (d) Approves qualified training entities that provide
211 precertification training to applicants and continuing education
212 to certified recovery residence administrators. To avoid a
213 conflict of interest, a credentialing entity or its affiliate



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214 may not deliver training to an applicant or continuing education
215 to a certificateholder.

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

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

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

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

239 (b) If a certified recovery residence administrator of a
240 recovery residence is arrested for or found guilty of, or enters
241 a plea of guilty or nolo contendere to, regardless of
242 adjudication, any offense listed in s. 435.04(2) while acting in



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243 that capacity, the recovery residence shall immediately remove
244 the person from that position and shall notify the credentialing
245 entity within 3 business days after such removal. The recovery
246 residence shall have 30 days to retain a certified recovery
247 residence administrator. The credentialing entity shall revoke
248 the certificate of compliance of any recovery residence that
249 fails to meet these requirements.

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

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

260 (8) A certified recovery residence administrator may not
261 actively manage more than one recovery residence at any given
262 time.

263 Section 4. Section 397.4872, Florida Statutes, is created
264 to read:

265 397.4872 Exemption from disqualification; publication.-

266 (1) Individual exemptions to staff disqualification or
267 administrator ineligibility may be requested if a recovery
268 residence deems the decision will benefit the program. Requests
269 for exemptions shall be submitted in writing to the department
270 within 20 days of the denial by the credentialing entity and
271 must include a justification for the exemption.



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

- 278 (a) Sexual predator pursuant to s. 775.21;
279 (b) Career offender pursuant to s. 775.261; or
280 (c) Sexual offender pursuant to s. 943.0435, unless the
281 requirement to register as a sexual offender has been removed
282 pursuant to s. 943.04354.

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

299 Section 5. Subsections (1) and (5) of section 397.407,
300 Florida Statutes, are amended, and subsection (11) is added to



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301 that section, to read:

302 397.407 Licensure process; fees.—

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

317 (5) The department may issue probationary, regular, and
318 interim licenses. After adopting the rule governing the
319 licensure process and fees, the department shall issue one
320 license for each service component that is operated by a service
321 provider and defined in rule pursuant to s. 397.311(22)
322 ~~397.311(18)~~. The license is valid only for the specific service
323 components listed for each specific location identified on the
324 license. The licensed service provider shall apply for a new
325 license at least 60 days before the addition of any service
326 components or 30 days before the relocation of any of its
327 service sites. Provision of service components or delivery of
328 services at a location not identified on the license may be
329 considered an unlicensed operation that authorizes the



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

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

351 Section 6. Paragraph (e) of subsection (5) of section
352 212.055, Florida Statutes, is amended to read:

353 212.055 Discretionary sales surtaxes; legislative intent;
354 authorization and use of proceeds.—It is the legislative intent
355 that any authorization for imposition of a discretionary sales
356 surtax shall be published in the Florida Statutes as a
357 subsection of this section, irrespective of the duration of the
358 levy. Each enactment shall specify the types of counties



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359 authorized to levy; the rate or rates which may be imposed; the
360 maximum length of time the surtax may be imposed, if any; the
361 procedure which must be followed to secure voter approval, if
362 required; the purpose for which the proceeds may be expended;
363 and such other requirements as the Legislature may provide.
364 Taxable transactions and administrative procedures shall be as
365 provided in s. 212.054.

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

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



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

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

407 2. The plan and subsequent amendments to it shall fund a
408 defined range of health care services for both indigent persons
409 and the medically poor, including primary care, preventive care,
410 hospital emergency room care, and hospital care necessary to
411 stabilize the patient. For the purposes of this section,
412 "stabilization" means stabilization as defined in s. 397.311(41)
413 ~~397.311(35)~~. Where consistent with these objectives, the plan
414 may include services rendered by physicians, clinics, community
415 hospitals, and alternative delivery sites, as well as at least
416 one regional referral hospital per service area. The plan shall



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



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446 Health Care Administration. The plan shall also include
447 innovative health care programs that provide cost-effective
448 alternatives to traditional methods of service and delivery
449 funding.

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

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

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

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

468 394.9085 Behavioral provider liability.—

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

472 397.311(22)(a)4. ~~397.311(18)(a)4.~~, 397.311(22)(a)1.

473 ~~397.311(18)(a)1.~~, and 394.455(26), respectively.

474 Section 8. Subsection (8) of section 397.405, Florida



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475 Statutes, is amended to read:

476 397.405 Exemptions from licensure.—The following are exempt
477 from the licensing provisions of this chapter:

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

487
488 The exemptions from licensure in this section do not apply to
489 any service provider that receives an appropriation, grant, or
490 contract from the state to operate as a service provider as
491 defined in this chapter or to any substance abuse program
492 regulated pursuant to s. 397.406. Furthermore, this chapter may
493 not be construed to limit the practice of a physician or
494 physician assistant licensed under chapter 458 or chapter 459, a
495 psychologist licensed under chapter 490, a psychotherapist
496 licensed under chapter 491, or an advanced registered nurse
497 practitioner licensed under part I of chapter 464, who provides
498 substance abuse treatment, so long as the physician, physician
499 assistant, psychologist, psychotherapist, or advanced registered
500 nurse practitioner does not represent to the public that he or
501 she is a licensed service provider and does not provide services
502 to individuals pursuant to part V of this chapter. Failure to
503 comply with any requirement necessary to maintain an exempt



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504 status under this section is a misdemeanor of the first degree,
505 punishable as provided in s. 775.082 or s. 775.083.

506 Section 9. Section 397.416, Florida Statutes, is amended to
507 read:

508 397.416 Substance abuse treatment services; qualified
509 professional.—Notwithstanding any other provision of law, a
510 person who was certified through a certification process
511 recognized by the former Department of Health and Rehabilitative
512 Services before January 1, 1995, may perform the duties of a
513 qualified professional with respect to substance abuse treatment
514 services as defined in this chapter, and need not meet the
515 certification requirements contained in s. 397.311(30)
516 ~~397.311(26)~~.

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

519 440.102 Drug-free workplace program requirements.—The
520 following provisions apply to a drug-free workplace program
521 implemented pursuant to law or to rules adopted by the Agency
522 for Health Care Administration:

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

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

529 (g) "Employee assistance program" means an established
530 program capable of providing expert assessment of employee
531 personal concerns; confidential and timely identification
532 services with regard to employee drug abuse; referrals of



533 employees for appropriate diagnosis, treatment, and assistance;
534 and followup services for employees who participate in the
535 program or require monitoring after returning to work. If, in
536 addition to the above activities, an employee assistance program
537 provides diagnostic and treatment services, these services shall
538 in all cases be provided by service providers pursuant to s.
539 397.311(39) ~~397.311(33)~~.

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

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

542 And the title is amended as follows:

543 Delete everything before the enacting clause
544 and insert:

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



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



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