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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2015	.	
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	.	
	.	

The Committee on Children, Families, and Elder Affairs (Dean) 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 or that
19 is 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) Relapse policy.
95 (f) Fee schedule.
96 (g) Refund policy.
97 (h) Eviction procedures and policy.



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98 (i) Code of ethics.

99 (j) Proof of insurance.

100 (k) Proof of background screening.

101 (l) Proof of satisfactory fire, safety, and health
102 inspections.

103 (4) Upon receiving a completed application and fee, a
104 credentialing entity shall conduct an onsite inspection of the
105 recovery residence.

106 (5) All owners, directors, and chief financial officers of
107 an applicant recovery residence are subject to level 2
108 background screening as provided under chapter 435. The
109 department shall notify the credentialing entity of the results
110 of the background screenings. A credentialing entity shall deny
111 a recovery residence's application if any owner, director, or
112 chief financial officer has been found guilty of, regardless of
113 adjudication, or has entered a plea of nolo contendere or guilty
114 to any offense listed in s. 435.04(2), unless the department has
115 issued an exemption under s. 397.4872.

116 (6) A credentialing entity shall issue a certificate of
117 compliance upon approval of the recovery residence's application
118 and inspection. The certification shall automatically terminate
119 1 year after issuance if not renewed.

120 (7) Onsite followup monitoring of any certified recovery
121 residence may be conducted by the credentialing entity to
122 determine continuing compliance with certification requirements.
123 The credentialing entity shall inspect each certified recovery
124 residence at least annually to ensure compliance.

125 (a) A credentialing entity may suspend or revoke a
126 certificate of compliance if the recovery residence is not in



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127 compliance with any provision of this section or has failed to
128 remedy any deficiency identified by the credentialing entity
129 within the time period specified.

130 (b) If any owner, director, or chief financial officer of a
131 certified recovery residence is arrested or found guilty of,
132 regardless of adjudication, or has entered a plea of nolo
133 contendere or guilty to any offense listed in s. 435.04(2),
134 while acting in that capacity, the certified recovery residence
135 shall immediately remove the person from that position and shall
136 notify the credentialing entity within 3 business days after
137 such removal. The credentialing entity shall revoke the
138 certificate of compliance of any recovery residence that fails
139 to meet these requirements.

140 (c) A credentialing entity shall revoke a recovery
141 residence's certificate of compliance if the recovery residence
142 provides false or misleading information to the credentialing
143 entity at any time.

144 (8) A person may not advertise to the public, in any way or
145 by any medium whatsoever, any recovery residence as a "certified
146 recovery residence" unless such recovery residence has first
147 secured a certificate of compliance under this section. A person
148 who violates this subsection commits a misdemeanor of the first
149 degree, punishable as provided in s. 775.082 or s. 775.083.

150 Section 3. Section 397.4871, Florida Statutes, is created
151 to read:

152 397.4871 Recovery residence administrator certification.—

153 (1) It is the intent of the Legislature that a recovery
154 residence administrator voluntarily earn and maintain
155 certification from a credentialing entity approved by the



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156 Department of Children and Families. The Legislature further
157 intends that certification ensure that an administrator has the
158 competencies necessary to appropriately respond to the needs of
159 residents, to maintain residence standards, and to meet
160 residence certification requirements.

161 (2) The department shall approve at least one credentialing
162 entity by December 1, 2015, for the purpose of developing and
163 administering a voluntary credentialing program for
164 administrators. The department shall approve any credentialing
165 entity that the department endorses pursuant to s. 397.321(16)
166 if the credentialing entity also meets the requirements of this
167 section. The approved credentialing entity shall:

168 (a) Establish recovery residence administrator core
169 competencies, certification requirements, testing instruments,
170 and recertification requirements according to nationally
171 recognized certification and psychometric standards.

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

174 (c) Develop and administer:

175 1. A code of ethics and disciplinary process.

176 2. Biennial continuing education requirements and annual
177 certification renewal requirements.

178 3. An education provider program to approve training
179 entities that are qualified to provide precertification training
180 to applicants and continuing education opportunities to
181 certified persons.

182 (3) A credentialing entity shall establish a certification
183 program that:

184 (a) Is established according to nationally recognized



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185 certification and psychometric standards.
186 (b) Is directly related to the core competencies.
187 (c) Establishes minimum requirements in each of the
188 following categories:
189 1. Training.
190 2. On-the-job work experience.
191 3. Supervision.
192 4. Testing.
193 5. Biennial continuing education.
194 (d) Requires adherence to a code of ethics and provides for
195 a disciplinary process that applies to certified persons.
196 (e) Approves qualified training entities that provide
197 precertification training to applicants and continuing education
198 to certified recovery residence administrators. To avoid a
199 conflict of interest, a credentialing entity or its affiliate
200 may not deliver training to an applicant or continuing education
201 to a certificateholder.
202 (4) A credentialing entity shall establish application,
203 examination, and certification fees and an annual certification
204 renewal fee. The application, examination, and certification
205 fees may not exceed \$225. The annual certification renewal fee
206 may not exceed \$100.
207 (5) All applicants are subject to level 2 background
208 screening as provided under chapter 435. The department shall
209 notify the credentialing entity of the results of the background
210 screenings. A credentialing entity shall deny a person's
211 application if the applicant has been found guilty of,
212 regardless of adjudication, or has entered a plea of nolo
213 contendere or guilty to any offense listed in s. 435.04(2),



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214 unless the department has issued an exemption under s. 397.4872.

215 (6) The credentialing entity shall issue a certificate of
216 compliance upon approval of a person's application. The
217 certification shall automatically terminate 1 year after
218 issuance if not renewed.

219 (a) A credentialing entity may suspend or revoke the
220 recovery residence administrator's certificate of compliance if
221 the recovery residence administrator fails to adhere to the
222 continuing education requirements.

223 (b) If a certified recovery residence administrator of a
224 recovery residence is arrested or found guilty of, regardless of
225 adjudication, or has entered a plea of nolo contendere or guilty
226 to any offense listed in s. 435.04(2), the recovery residence
227 shall immediately remove the recovery residence administrator
228 from that position and shall notify the credentialing entity
229 within 3 business days after such removal. The recovery
230 residence shall have 30 days to retain a certified recovery
231 residence administrator. The credentialing entity shall revoke
232 the certificate of compliance of any recovery residence which
233 fails to meet these requirements.

234 (c) A credentialing entity shall revoke a recovery
235 residence administrator's certificate of compliance if the
236 recovery residence administrator provides false or misleading
237 information to the credentialing entity at any time.

238 (7) A person may not advertise himself or herself to the
239 public, in any way or by any medium whatsoever, as a "certified
240 recovery residence administrator" unless he or she has first
241 secured a certificate of compliance under this section. A person
242 who violates this subsection commits a misdemeanor of the first



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243 degree, punishable as provided in s. 775.082 or s. 775.083.

244 (8) A certified recovery residence administrator may
245 qualify a recovery residence for referrals under s. 397.407(11)
246 if the certified recovery residence administrator:

247 (a) Registers with the credentialing entity the recovery
248 residence he or she intends to qualify. The registration shall
249 include:

250 1. The name and address of the recovery residence,
251 including the fictitious name, if any, under which the recovery
252 residence is doing business.

253 2. The name of the owners and any officers of the recovery
254 residence.

255 (b) Submits an affidavit attesting that he or she is
256 actively managing the recovery residence and that he or she is
257 not utilizing his or her recovery residence administrator's
258 certificate of compliance to qualify any additional recovery
259 residences under this subsection.

260 (9) A certified recovery residence administrator must
261 notify the credentialing entity within 3 business days after the
262 termination of the certified recovery residence administrator's
263 qualification of the recovery residence due to resignation or
264 any other reason.

265 (10) A certified recovery residence administrator may act
266 as a qualifying agent for only one recovery residence at any
267 given time.

268 Section 4. Section 397.4872, Florida Statutes, is created
269 to read:

270 397.4872 Exemption from disqualification; publication.-

271 (1) Individual exemptions from staff disqualification or



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272 administrator ineligibility may be requested if a recovery
273 residence deems the decision will benefit the program. Requests
274 for exemptions shall be submitted in writing to the department
275 and include a justification for the exemption.

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

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

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

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

287 (3) By April 1, 2016, a credentialing entity shall submit a
288 list to the department of all recovery residences and recovery
289 residence administrators certified by the credentialing entity
290 which hold a valid certificate of compliance. Thereafter, the
291 credentialing entity must notify the department within 3
292 business days after a new recovery residence or recovery
293 residence administrator is certified or a recovery residence's
294 or recovery residence administrator's certificate expires or is
295 terminated. The department shall publish on its website a list
296 of all recovery residences that hold a valid certificate of
297 compliance or that have been qualified pursuant to s.
298 397.4871(10). The department shall also publish on its website a
299 list of all recovery residence administrators that hold a valid
300 certificate of compliance. A recovery residence or recovery



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301 residence administrator shall be excluded from the list if the
302 recovery residence administrator submits a written request to
303 the department.

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

307 397.407 Licensure process; fees.—

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

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



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330 license at least 60 days before the addition of any service
331 components or 30 days before the relocation of any of its
332 service sites. Provision of service components or delivery of
333 services at a location not identified on the license may be
334 considered an unlicensed operation that authorizes the
335 department to seek an injunction against operation as provided
336 in s. 397.401, in addition to other sanctions authorized by s.
337 397.415. Probationary and regular licenses may be issued only
338 after all required information has been submitted. A license may
339 not be transferred. As used in this subsection, the term
340 "transfer" includes, but is not limited to, the transfer of a
341 majority of the ownership interest in the licensed entity or
342 transfer of responsibilities under the license to another entity
343 by contractual arrangement.

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

356 Section 6. Paragraph (e) of subsection (5) of section
357 212.055, Florida Statutes, is amended to read:

358 212.055 Discretionary sales surtaxes; legislative intent;



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

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

381 (e) A governing board, agency, or authority shall be
382 chartered by the county commission upon this act becoming law.
383 The governing board, agency, or authority shall adopt and
384 implement a health care plan for indigent health care services.
385 The governing board, agency, or authority shall consist of no
386 more than seven and no fewer than five members appointed by the
387 county commission. The members of the governing board, agency,



388 or authority shall be at least 18 years of age and residents of
389 the county. No member may be employed by or affiliated with a
390 health care provider or the public health trust, agency, or
391 authority responsible for the county public general hospital.
392 The following community organizations shall each appoint a
393 representative to a nominating committee: the South Florida
394 Hospital and Healthcare Association, the Miami-Dade County
395 Public Health Trust, the Dade County Medical Association, the
396 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
397 County. This committee shall nominate between 10 and 14 county
398 citizens for the governing board, agency, or authority. The
399 slate shall be presented to the county commission and the county
400 commission shall confirm the top five to seven nominees,
401 depending on the size of the governing board. Until such time as
402 the governing board, agency, or authority is created, the funds
403 provided for in subparagraph (d)2. shall be placed in a
404 restricted account set aside from other county funds and not
405 disbursed by the county for any other purpose.

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

412 2. The plan and subsequent amendments to it shall fund a
413 defined range of health care services for both indigent persons
414 and the medically poor, including primary care, preventive care,
415 hospital emergency room care, and hospital care necessary to
416 stabilize the patient. For the purposes of this section,



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417 "stabilization" means stabilization as defined in s. 397.311(41)
418 ~~397.311(35)~~. Where consistent with these objectives, the plan
419 may include services rendered by physicians, clinics, community
420 hospitals, and alternative delivery sites, as well as at least
421 one regional referral hospital per service area. The plan shall
422 provide that agreements negotiated between the governing board,
423 agency, or authority and providers shall recognize hospitals
424 that render a disproportionate share of indigent care, provide
425 other incentives to promote the delivery of charity care to draw
426 down federal funds where appropriate, and require cost
427 containment, including, but not limited to, case management.
428 From the funds specified in subparagraphs (d)1. and 2. for
429 indigent health care services, service providers shall receive
430 reimbursement at a Medicaid rate to be determined by the
431 governing board, agency, or authority created pursuant to this
432 paragraph for the initial emergency room visit, and a per-member
433 per-month fee or capitation for those members enrolled in their
434 service area, as compensation for the services rendered
435 following the initial emergency visit. Except for provisions of
436 emergency services, upon determination of eligibility,
437 enrollment shall be deemed to have occurred at the time services
438 were rendered. The provisions for specific reimbursement of
439 emergency services shall be repealed on July 1, 2001, unless
440 otherwise reenacted by the Legislature. The capitation amount or
441 rate shall be determined prior to program implementation by an
442 independent actuarial consultant. In no event shall such
443 reimbursement rates exceed the Medicaid rate. The plan must also
444 provide that any hospitals owned and operated by government
445 entities on or after the effective date of this act must, as a



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446 condition of receiving funds under this subsection, afford
447 public access equal to that provided under s. 286.011 as to any
448 meeting of the governing board, agency, or authority the subject
449 of which is budgeting resources for the retention of charity
450 care, as that term is defined in the rules of the Agency for
451 Health Care Administration. The plan shall also include
452 innovative health care programs that provide cost-effective
453 alternatives to traditional methods of service and delivery
454 funding.

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

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

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

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

473 394.9085 Behavioral provider liability.—

474 (6) For purposes of this section, the terms "detoxification



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475 services," "addictions receiving facility," and "receiving
476 facility" have the same meanings as those provided in ss.
477 397.311(22)(a)4. ~~397.311(18)(a)4.~~, 397.311(22)(a)1.
478 ~~397.311(18)(a)1.~~, and 394.455(26), respectively.

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

481 397.405 Exemptions from licensure.—The following are exempt
482 from the licensing provisions of this chapter:

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

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



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504 assistant, psychologist, psychotherapist, or advanced registered
505 nurse practitioner does not represent to the public that he or
506 she is a licensed service provider and does not provide services
507 to individuals pursuant to part V of this chapter. Failure to
508 comply with any requirement necessary to maintain an exempt
509 status under this section is a misdemeanor of the first degree,
510 punishable as provided in s. 775.082 or s. 775.083.

511 Section 9. Section 397.416, Florida Statutes, is amended to
512 read:

513 397.416 Substance abuse treatment services; qualified
514 professional.—Notwithstanding any other provision of law, a
515 person who was certified through a certification process
516 recognized by the former Department of Health and Rehabilitative
517 Services before January 1, 1995, may perform the duties of a
518 qualified professional with respect to substance abuse treatment
519 services as defined in this chapter, and need not meet the
520 certification requirements contained in s. 397.311(30)
521 ~~397.311(26)~~.

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

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

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

530 (d) "Drug rehabilitation program" means a service provider,
531 established pursuant to s. 397.311(39) ~~397.311(33)~~, that
532 provides confidential, timely, and expert identification,



533 assessment, and resolution of employee drug abuse.

534 (g) "Employee assistance program" means an established
535 program capable of providing expert assessment of employee
536 personal concerns; confidential and timely identification
537 services with regard to employee drug abuse; referrals of
538 employees for appropriate diagnosis, treatment, and assistance;
539 and followup services for employees who participate in the
540 program or require monitoring after returning to work. If, in
541 addition to the above activities, an employee assistance program
542 provides diagnostic and treatment services, these services shall
543 in all cases be provided by service providers pursuant to s.
544 397.311(39) ~~397.311(33)~~.

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

546
547 ===== T I T L E A M E N D M E N T =====

548 And the title is amended as follows:

549 Delete everything before the enacting clause
550 and insert:

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



562 establish procedures for certifying recovery
563 residences that meet certain qualifications; requiring
564 an approved credentialing entity to establish certain
565 fees; requiring a credentialing entity to conduct
566 onsite inspections of a recovery residence; requiring
567 background screening of owners, directors, and chief
568 financial officers of a recovery residence; providing
569 for denial, suspension, or revocation of
570 certification; providing a criminal penalty for
571 falsely advertising a recovery residence as a
572 "certified recovery residence"; creating s. 397.4871,
573 F.S.; providing legislative intent; requiring the
574 department to create a voluntary certification program
575 for recovery residence administrators; directing the
576 department to approve at least one credentialing
577 entity by a specified date to develop and administer
578 the certification program; requiring an approved
579 credentialing entity to establish a process for
580 certifying recovery residence administrators who meet
581 certain qualifications; requiring an approved
582 credentialing entity to establish certain fees;
583 requiring background screening of applicants for
584 recovery residence administrator certification;
585 providing for denial, suspension, or revocation of
586 certification; providing a criminal penalty for
587 falsely advertising oneself as a "certified recovery
588 residence administrator"; creating s. 397.4872, F.S.;
589 providing exemptions from disqualifying offenses;
590 requiring credentialing entities to provide the



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591 department with a list of all certified recovery
592 residences and recovery residence administrators by a
593 date certain; requiring the department to publish the
594 list on its website; allowing recovery residences and
595 recovery residence administrators to be excluded from
596 the list upon written request to the department;
597 amending s. 397.407, F.S.; conforming cross-
598 references; providing conditions for a licensed
599 service provider to refer patients to a certified
600 recovery residence or a recovery residence owned and
601 operated by the licensed service provider; defining
602 the term "refer"; amending ss. 212.055, 394.9085,
603 397.405, 397.416, and 440.102, F.S.; conforming cross-
604 references; providing an effective date.