

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Hager offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 16.619, Florida Statutes, is created to
 8 read:

9 16.619 Substance Abuse and Recovery Fraudulent Business
 10 Practices Pilot Program.—

11 (1) LEGISLATIVE FINDINGS. The Legislature finds that there
 12 is a need to develop and implement a local pilot program to
 13 coordinate state and local agencies, law enforcement entities,
 14 and investigative units in order to increase the effectiveness
 15 of programs and initiatives dealing with the regulation,
 16 prevention, detection, and prosecution of unethical and

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17 fraudulent business practices within the substance abuse
18 industry.

19 (2) ESTABLISHMENT. The Substance Abuse and Recovery
20 Fraudulent Business Practices Pilot Program is created within
21 the office of the State Attorney for the 15th Judicial Circuit
22 to coordinate and further state and local efforts to address
23 unscrupulous entities who use unethical and fraudulent business
24 practices to prey on vulnerable individuals with substance use
25 disorders and their families. The pilot project shall involve
26 identifying and implementing those strategies possible within
27 current resources and existing law to address fraudulent
28 business and unethical marketing practices in the provision of
29 substance abuse services. The State Attorney for the 15th Circuit
30 may end the pilot project after its work has been completed.

31 (3) MEMBERSHIP. The pilot program shall be developed by
32 the State Attorney for the 15th Judicial Circuit, in consultation
33 with an advisory panel chaired by the State Attorney for the 15th
34 Judicial Circuit. The advisory panel shall include at a minimum
35 the following 9 members, appointed by and serving at the
36 pleasure of the State Attorney for the 15th Judicial Circuit
37 unless otherwise specified:

38 (a) A representative of the Department of Children and
39 Families, appointed by the secretary of the department.

40 (b) The Sheriff of Palm Beach County or designee.

41 (c) A representative from the local business organizations.

42 (d) A representative from the health insurance industry.

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43 (e) A representative from the substance abuse treatment
44 industry.

45 (f) The Executive Director or designee of the Florida
46 Association of Recovery Residences.

47 (g) The Executive Director or designee of the Florida
48 Alcohol and Drug Abuse Association.

49 (h) A county official.

50 (i) An official representing local cities.

51 (4) TERMS OF MEMBERSHIP; COMPENSATION.

52 (a) The State Attorney of the 15th Judicial Circuit shall
53 call meetings of the advisory panel as necessary to guide the
54 pilot project.

55 (b) The Legislature finds that the advisory panel serves a
56 legitimate state, county, and municipal purpose and that service
57 on the advisory panel is consistent with a member's principal
58 service in a public office or employment. Therefore membership
59 on the strike force does not disqualify a member from holding
60 any other public office or from being employed by a public
61 entity, except that a member of the Legislature may not serve on
62 the advisory panel.

63 (c) Members of the strike force shall serve without
64 compensation.

65 (5) DUTIES. In developing and implementing the pilot
66 project, the State Attorney of the 15th Judicial Circuit, in
67 collaboration with the advisory panel, shall:

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- 68 (a) Identify the types of fraudulent business and
69 unethical marketing practices engaged in by providers of
70 substance abuse services and recovery residences;
- 71 (b) Collect and organize data concerning the marketing and
72 business practices that are unethical or fraudulent by the
73 substance abuse treatment industry and recovery residences;
- 74 (c) Conduct a census of local, state, and federal efforts
75 to address patient brokering, unfair and deceptive trade
76 practices in this state, including fraud detection, prevention,
77 and prosecution, in order to discern overlapping missions,
78 maximize existing resources, and strengthen current programs.
- 79 (d) Review the adequacy of laws addressing such practices;
- 80 (e) Develop a range of strategies to address these
81 practices and evaluate their effectiveness and cost;
- 82 (f) Plan for and implement in collaboration with relevant
83 entities such strategies as are possible within current
84 resources and existing law. Such strategies may include but are
85 not limited to communication with providers about practices that
86 are fraudulent, communication to individuals and families about
87 fraudulent practices they may be subject to, increased
88 enforcement through the Department of Children and Families'
89 current regulatory authority, a local warm line for receiving
90 information about fraudulent practices, and better coordination
91 of state and local resources for enforcement.

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92 (g) Recommend to the Department of Children and Families
93 and the Legislature revisions to law and state agency practices
94 that may enhance the effectiveness of state and local efforts.

95 (7) REPORTS. While the pilot project is in development or
96 being implemented, the State Attorney of the 15th Judicial
97 Circuit shall annually submit a report on the pilot project by
98 October 1 to the Governor, President of the Senate, and the
99 Speaker of the House of Representatives.

100 Section 2. This act shall take effect upon becoming a law.

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103 **T I T L E A M E N D M E N T**

104 Remove everything before the enacting clause and insert:
105 An act relating to Substance Abuse and Recovery Fraudulent
106 Business Practices Pilot Program; creating s. 16.619, F.S.;
107 providing legislative findings; establishing the Substance Abuse
108 and Recovery Fraudulent Business Practices Pilot Program within
109 the office of the State Attorney of the 15th Circuit; providing
110 membership; establishing duties; requiring reports; providing an
111 effective date.