



870674

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2017	.	
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The Committee on Criminal Justice (Clemens) recommended the following:

Senate Amendment (with title amendment)

Delete lines 107 - 123

and insert:

Section 2. Subsection (21) of section 397.321, Florida Statutes, is added to read:

397.321 Duties of the department.—The department shall:

(21) Ensure that substance abuse service provider personnel who provide direct clinical treatment services as defined in s. 397.311(25) (a) are certified through a department-recognized



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11 certification process. A physician or a physician assistant
12 licensed under chapter 458 or chapter 459; a professional
13 licensed under chapter 490 or chapter 491; or an advanced
14 registered nurse practitioner licensed under part I of chapter
15 464 is exempt from the requirements of this subsection.

16 Section 3. Subsection (11) of section 397.407, Florida
17 Statutes, is amended to read:

18 397.407 Licensure process; fees.—

19 (11) Effective July 1, 2017 ~~2016~~, a service provider
20 licensed under this part may not refer a prospective, current,
21 or discharged patient to, or accept a referral from, a recovery
22 residence unless the recovery residence holds a valid
23 certificate of compliance as provided in s. 397.487 and is
24 actively managed by a certified recovery residence administrator
25 as provided in s. 397.4871 ~~or the recovery residence is owned~~
26 ~~and operated by a licensed service provider or a licensed~~
27 ~~service provider's wholly owned subsidiary.~~ For purposes of this
28 subsection, the term "refer" means to inform a patient by any
29 means about the name, address, or other details of the recovery
30 residence. However, this subsection does not require a licensed
31 service provider to refer any patient to a recovery residence.
32 This subsection does not require a recovery residence to refer
33 any patient to a licensed service provider. This subsection

34
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete line 6

38 and insert:

39 brokering offenses; amending 397.321, F.S.; requiring



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40 the Department of Children and Families to ensure that
41 substance abuse service provider personnel providing
42 direct clinical treatment services are certified
43 through a department-recognized certification process;
44 exempting specified licensed individuals from
45 certification; amending s. 397.407, F.S.;