

1                                   A bill to be entitled  
2           An act relating to substance abuse service providers;  
3           amending s. 397.403, F.S.; requiring service provider  
4           applicants to include the names and locations of  
5           certain recovery residences in their license  
6           applications; creating s. 397.4104, F.S.; requiring  
7           service providers to provide the Department of  
8           Children and Families with a record of certain  
9           recovery residences by a specified date; requiring  
10          service providers to notify the department of any  
11          changes to the record within a specified timeframe;  
12          providing civil penalties; amending s. 397.4871, F.S.;  
13          requiring certified recovery residence administrators  
14          to demonstrate the ability to meet specified  
15          requirements; prohibiting certified recovery residence  
16          administrators from actively managing more than a  
17          specified number of residents; providing an exception;  
18          deleting a provision prohibiting certified recovery  
19          residence administrators from actively managing more  
20          than three recovery residences; amending s. 397.501,  
21          F.S.; requiring service providers to return an  
22          individual's personal effects upon the individual's  
23          discharge; providing an effective date.

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25   Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (j) is added to subsection (1) of section 397.403, Florida Statutes, to read:

397.403 License application.—

(1) Applicants for a license under this chapter must apply to the department on forms provided by the department and in accordance with rules adopted by the department. Applications must include at a minimum:

(j) The names and locations of any recovery residences to which the applicant service provider plans to refer patients or from which the applicant service provider plans to accept patients.

Section 2. Section 397.4104, Florida Statutes, is created to read:

397.4104 Record of recovery residences used by service providers.—

(1) By July 1, 2022, a service provider shall provide the department with a record including the name and location of each recovery residence that the service provider has referred patients to or received patients from and update the record with any changes that occur. A service provider shall notify the department of any change in the record within 30 business days after the change.

(2) Beginning October 1, 2022, a licensed service provider that violates this section is subject to an administrative fine

51 of \$1,000 per occurrence. The department may suspend or revoke a  
52 service provider's license pursuant to s. 397.415 for repeat  
53 violations of this section.

54 Section 3. Subsection (8) of section 397.4871, Florida  
55 Statutes, is amended to read:

56 397.4871 Recovery residence administrator certification.—

57 (8)(a) A certified recovery residence administrator must  
58 demonstrate the ability to effectively and appropriately respond  
59 to the needs of residents, to maintain residence standards, and  
60 to meet the certification requirements of this section.

61 (b) A certified recovery residence administrator may not  
62 actively manage more than 50 residents at any given time unless  
63 written justification is provided to, and approved by, the  
64 credentialing entity as to how the administrator is able to  
65 effectively and appropriately respond to the needs of the  
66 residents, to maintain residence standards, and to meet the  
67 residence certification requirements of this section. However, a  
68 certified recovery residence administrator may not actively  
69 manage more than 100 residents ~~no more than three recovery~~  
70 ~~residences~~ at any given time.

71 Section 4. Subsection (5) of section 397.501, Florida  
72 Statutes, is amended to read:

73 397.501 Rights of individuals.—Individuals receiving  
74 substance abuse services from any service provider are  
75 guaranteed protection of the rights specified in this section,

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76 | unless otherwise expressly provided, and service providers must  
77 | ensure the protection of such rights.

78 |       (5) RIGHT TO CARE AND CUSTODY OF PERSONAL EFFECTS.—An  
79 | individual has the right to possess clothing and other personal  
80 | effects. The service provider may take temporary custody of the  
81 | individual's personal effects only when required for medical or  
82 | safety reasons, with the reason for taking custody and a list of  
83 | the personal effects recorded in the individual's clinical  
84 | record. A service provider shall return an individual's personal  
85 | effects upon the individual's discharge, even if the discharge  
86 | is against medical advice.

87 |       Section 5. This act shall take effect upon becoming a law.