

By Senator Harrell

25-00437A-22

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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           application; creating s. 397.4104, F.S.; requiring  
7           service providers to record specified information in  
8           the Department of Children and Families' Provider  
9           Licensure and Designations System after a specified  
10          date; requiring service providers to update the record  
11          with any changes 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.

24  
25   Be It Enacted by the Legislature of the State of Florida:

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

29           397.403 License application.—

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

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

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

40 397.4104 Record of recovery residences used by service  
41 providers.—

42 (1) By July 1, 2022, a service provider shall record in the  
43 department's Provider Licensure and Designations System the name  
44 and location of each recovery residence that the service  
45 provider has referred patients to or received patients from and  
46 update the record with any changes that occur. A service  
47 provider must update such record within 30 business days after  
48 the change.

49 (2) Beginning July 1, 2022, a licensed service provider  
50 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

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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,  
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.