



739498

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
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The Committee on Children, Families, and Elder Affairs (Gruters) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 40 - 181

and insert:

Section 1. Subsections (5) and (8) of section 397.487, Florida Statutes, are amended to read:

397.487 Voluntary certification of recovery residences.—

(5) Upon receiving a completed ~~complete~~ application, a credentialing entity shall conduct an onsite inspection of the recovery residence to determine whether the applicant meets the



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11 certification requirements.

12 (8) Periodic onsite ~~followup~~ monitoring of a certified  
13 recovery residence may be conducted by the credentialing entity  
14 to determine continuing compliance with certification  
15 requirements. The credentialing entity shall inspect each  
16 certified recovery residence at least annually to ensure  
17 compliance with such certification requirements.

18 (a) A credentialing entity may suspend or revoke a  
19 certification if the credentialing entity has made a written  
20 determination that the recovery residence is not in compliance  
21 with any provision of this section or has failed to remedy any  
22 deficiency identified by the credentialing entity within the  
23 time period specified.

24 (b) A certified recovery residence must notify the  
25 credentialing entity within 3 business days after the removal of  
26 the recovery residence's certified recovery residence  
27 administrator due to termination, resignation, or any other  
28 reason. The recovery residence has 90 ~~30~~ days to retain a  
29 certified recovery residence administrator. The credentialing  
30 entity shall initiate formal proceedings to revoke the  
31 certificate of compliance of any recovery residence that fails  
32 to comply with this paragraph.

33 (c) If any owner, director, or chief financial officer of a  
34 certified recovery residence is arrested for or found guilty of,  
35 or enters a plea of guilty or nolo contendere to, regardless of  
36 adjudication, any offense listed in s. 435.04(2) while acting in  
37 that capacity, the certified recovery residence shall  
38 immediately remove the person from that position and shall  
39 notify the credentialing entity within 3 business days after



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40 such removal. The credentialing entity shall revoke the  
41 certificate of compliance of a recovery residence that fails to  
42 meet these requirements.

43 (d) A credentialing entity shall revoke a recovery  
44 residence's certificate of compliance if the recovery residence  
45 provides false or misleading information to the credentialing  
46 entity at any time.

47 (e) Any decision by a department-recognized credentialing  
48 entity to deny, revoke, or suspend a certification, or otherwise  
49 impose sanctions on a recovery residence, must be initiated by a  
50 formal written notice provided to the recovery residence. The  
51 recovery residence must have 90 days to cure the alleged  
52 deficiency unless the alleged deficiency is an immediate threat  
53 to the health, life, or safety of a resident or residents. If  
54 the alleged deficiency is not cured within 90 days, the  
55 credentialing entity may proceed with formal proceedings against  
56 the recovery residence. The credentialing entity shall allow the  
57 recovery residence to participate in all proceedings conducted  
58 by the credentialing entity regarding the issues raised in the  
59 formal written notice. The credentialing entity shall issue a  
60 formal written notice of its final decision after the conclusion  
61 of such proceedings, is reviewable by the department. Upon  
62 receiving an adverse ~~decision determination~~, the recovery  
63 residence may request an administrative hearing pursuant to ss.  
64 120.569 and 120.57 ~~ss. 120.569 and 120.57(1)~~ within 30 days  
65 after the recovery residence receives formal written notice of  
66 the final action taken ~~completing any appeals process offered by~~  
67 the credentialing entity. The credentialing entity must keep  
68 written records of decisions made and proceedings conducted



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69 pursuant to this paragraph and must make such records available  
70 to the Division of Administrative Hearings upon request ~~or the~~  
71 department, as applicable.

72 Section 2. Paragraph (b) of subsection (8) of section  
73 397.4871, Florida Statutes, is amended to read:

74 397.4871 Recovery residence administrator certification.—  
75 (8)

76 (b) A certified recovery residence administrator may not  
77 actively manage more than 50 residents at any given time unless  
78 written justification is provided to, and approved by, the  
79 credentialing entity as to how the administrator is able to  
80 effectively and appropriately respond to the needs of the  
81 residents, to maintain residence standards, and to meet the  
82 residence certification requirements of this section. ~~However,~~ A  
83 certified recovery residence administrator may not actively  
84 manage more than 100 residents at any given time. However, a  
85 credentialing entity may approve a certified recovery residence  
86 administrator to actively manage up to 250 residents if such  
87 administrator's recovery residence provides therapeutic housing  
88 and ancillary services exclusively to a licensed service  
89 provider and if the licensed service provider maintains a ratio  
90 of at least 1 supervisory employee to 8 residents. A certified  
91 recovery residence administrator approved under this paragraph  
92 to manage more than 100 residents who has been removed by a  
93 recovery residence due to termination, resignation, or any other  
94 reason may not continue to actively manage more than 100  
95 residents for another recovery residence without being  
96 reapproved by the credentialing entity pursuant to this  
97 paragraph.



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

And the title is amended as follows:

Delete lines 3 - 35

and insert:

services; amending s. 397.487, F.S.; specifying the purpose of certain inspections by credentialing entities; revising authorizations relating to onsite monitoring of certified recovery residences by credentialing entities; revising requirements relating to the removal and replacement of certified recovery residence administrators; revising requirements relating to credentialing entities denying, revoking, or suspending certifications or imposing sanctions on a recovery residence; requiring credentialing entities to keep specified records and make such records available to the Division of Administrative Hearings upon request; amending s. 397.4871, F.S.; authorizing credentialing entities to approve certain certified recovery residence administrators to actively manage up to a specified number of residents if certain requirements are met; prohibiting certain certified recovery residence administrators who have been removed from a recovery residence from continuing to actively manage more than a specified number of residents without being reapproved by a credentialing entity; providing