

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

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

3 Representative Caruso offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Present subsections (9) through (50) of section
8 397.311, Florida Statutes, are redesignated as subsections (10)
9 through (51), respectively, a new subsection (9) is added to
10 that section, and subsection (5) of that section is amended, to
11 read:

12 397.311 Definitions.—As used in this chapter, except part VIII,
13 the term:

14 (5) "Certified recovery residence" means a recovery
15 residence that holds a valid certificate of compliance and is

Amendment No.1

16 actively managed by a certified recovery residence
17 administrator.

18 (a) A Level I certified recovery residence houses
19 individuals in recovery who have completed treatment, with a
20 minimum of 9 months of sobriety. A Level I certified recovery
21 residence is democratically run by the members who reside in the
22 home.

23 (b) A Level II certified recovery residence encompasses
24 the traditional perspectives of sober living homes. There is
25 oversight from a house manager who has experience with living in
26 recovery. Residents are expected to follow rules outlined in a
27 resident handbook, which is provided by the certified recovery
28 residence administrator. Residents must pay dues, if applicable,
29 and work toward achieving realistic and defined milestones
30 within a chosen recovery path.

31 (c) A Level III certified recovery residence offers higher
32 supervision by staff with formal training to ensure resident
33 accountability. Such residences are staffed 24 hours a day, 7
34 days a week, and offer residents peer-support services, which
35 may include, but are not limited to, life skill mentoring,
36 recovery planning, and meal preparation. No clinical services
37 are performed at the residence. Such residences are most
38 appropriate for persons who require a more structured
39 environment during early recovery from addiction.

Amendment No.1

40 (d) A Level IV certified recovery residence is a residence
41 offered, referred to, or provided by, a licensed service
42 provider to its patients who are required to reside at the
43 residence while receiving intensive outpatient and higher levels
44 of outpatient care. Such residences are staffed 24 hours a day
45 and combine outpatient licensable services with recovery
46 residential living. Residents are required to follow a treatment
47 plan and attend group and individual sessions, in addition to
48 developing a recovery plan within the social model of living a
49 sober lifestyle. No clinical services are provided at the
50 residence, and all licensable services are provided off-site.

51 (9) "Community housing" means a certified recovery
52 residence offered, referred to, or provided by a licensed
53 service provider that provides housing to its patients who are
54 required to reside at the residence while receiving intensive
55 outpatient and higher levels of outpatient care. A certified
56 recovery residence used by a licensed service provider that
57 meets the definition of community housing shall be classified as
58 a Level IV level of support, as described in subsection (5).

59 Section 2. Subsections (6) and (10) of section 397.407,
60 Florida Statutes, are amended to read:

61 397.407 Licensure process; fees.—

62 (6) The department may issue probationary, regular, and
63 interim licenses. The department may ~~shall~~ issue one license for
64 all each service components ~~component that is~~ operated by a

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Published On: 2/21/2024 7:57:37 PM

Amendment No.1

65 service provider and defined pursuant to s. 397.311(26). The
66 license is valid only for the specific service components listed
67 for each specific location identified on the license. The
68 licensed service provider shall apply for ~~a new license at least~~
69 ~~60 days before~~ the addition of any service components and obtain
70 approval prior to initiating additional services. The licensed
71 service provider must notify the department and provide any
72 required documentation at least ~~or~~ 30 days before the relocation
73 of any of its service sites. Provision of service components or
74 delivery of services at a location not identified on the license
75 may be considered an unlicensed operation that authorizes the
76 department to seek an injunction against operation as provided
77 in s. 397.401, in addition to other sanctions authorized by s.
78 397.415. Probationary and regular licenses may be issued only
79 after all required information has been submitted. A license may
80 not be transferred. As used in this subsection, the term
81 "transfer" includes, but is not limited to, the transfer of a
82 majority of the ownership interest in the licensed entity or
83 transfer of responsibilities under the license to another entity
84 by contractual arrangement.

85 ~~(10) A separate license is required for each service~~
86 ~~component maintained by the service provider.~~

87 Section 3. Present paragraphs (c), (d), and (e) of
88 subsection (8) of section 397.487, Florida Statutes, are
89 redesignated as paragraphs (d), (e), and (f), respectively, a

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

90 new paragraph (c) is added to that subsection, subsections (13)
91 and (14) are added to that section, and paragraph (b) and
92 present paragraphs (c), (d), and (e) of subsection (8) of that
93 section are amended, to read:

94 397.487 Voluntary certification of recovery residences.-

95 (8) Onsite followup monitoring of a certified recovery
96 residence may be conducted by the credentialing entity to
97 determine continuing compliance with certification requirements.
98 The credentialing entity shall inspect each certified recovery
99 residence at least annually to ensure compliance.

100 (b) A certified recovery residence must notify the
101 credentialing entity within 3 business days after the removal of
102 the recovery residence's certified recovery residence
103 administrator due to termination, resignation, or any other
104 reason. The certified recovery residence has 90 ~~30~~ days to
105 retain a certified recovery residence administrator. The
106 credentialing entity must ~~shall~~ revoke the certificate of
107 compliance of any certified recovery residence that fails to
108 comply with this paragraph.

109 (c) If a certified recovery residence's administrator has
110 been removed due to termination, resignation, or any other
111 reason and had been previously approved to actively manage more
112 than 50 residents pursuant to s. 397.4871(8)(b), the certified
113 recovery residence has 90 days to retain another certified
114 recovery residence administrator pursuant to that section. The

Amendment No.1

115 credentialing entity must revoke the certificate of compliance
116 of any certified recovery residence that fails to comply with
117 this paragraph.

118 (d)-(e) If any owner, director, or chief financial officer
119 of a certified recovery residence is arrested and awaiting
120 disposition for or found guilty of, or enters a plea of guilty
121 or nolo contendere to, regardless of whether adjudication is
122 withheld, any offense listed in s. 435.04(2) while acting in
123 that capacity, the certified recovery residence must ~~shall~~
124 immediately remove the person from that position and ~~shall~~
125 notify the credentialing entity within 3 business days after
126 such removal. The credentialing entity must ~~shall~~ revoke the
127 certificate of compliance of a certified recovery residence that
128 fails to meet these requirements.

129 (e)-(d) A credentialing entity shall revoke a certified
130 recovery residence's certificate of compliance if the certified
131 recovery residence provides false or misleading information to
132 the credentialing entity at any time.

133 (f)-(e) Any decision by a department-recognized
134 credentialing entity to deny, revoke, or suspend a
135 certification, or otherwise impose sanctions on a certified
136 recovery residence, is reviewable by the department. Upon
137 receiving an adverse determination, the certified recovery
138 residence may request an administrative hearing pursuant to ss.
139 120.569 and 120.57(1) within 30 days after completing any

Amendment No.1

140 appeals process offered by the credentialing entity or the
141 department, as applicable.

142 (13) On or after January 1, 2025, a recovery residence may
143 not deny an individual access to housing solely on the basis
144 that he or she has been prescribed federally approved medication
145 that assists with treatment for substance use disorders by a
146 licensed physician, a physician's assistant, or an advanced
147 practice registered nurse registered under s. 464.0123.

148 (14) A local ordinance or regulation may not further
149 regulate the duration or frequency of a resident's stay in a
150 certified recovery residence located within a multifamily zoning
151 district after June 30, 2024. This provision shall expire July
152 1, 2026.

153 Section 4. Paragraphs (b) and (c) of subsection (6) of
154 section 397.4871, Florida Statutes, are amended, and paragraph
155 (c) is added to subsection (8) of that section, to read:

156 397.4871 Recovery residence administrator certification.—

157 (6) The credentialing entity shall issue a certificate of
158 compliance upon approval of a person's application. The
159 certification shall automatically terminate 1 year after
160 issuance if not renewed.

161 (b) If a certified recovery residence administrator of a
162 recovery residence is arrested and awaiting disposition for or
163 found guilty of, or enters a plea of guilty or nolo contendere
164 to, regardless of whether adjudication is withheld, any offense

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

165 listed in s. 435.04(2) while acting in that capacity, the
166 certified recovery residence must ~~shall~~ immediately remove the
167 person from that position and ~~shall~~ notify the credentialing
168 entity within 3 business days after such removal. The certified
169 recovery residence shall ~~have 30 days to~~ retain a certified
170 recovery residence administrator within 90 days after such
171 removal. The credentialing entity must ~~shall~~ revoke the
172 certificate of compliance of any recovery residence that fails
173 to meet these requirements.

174 (c) A credentialing entity must ~~shall~~ revoke a certified
175 recovery residence administrator's certificate of compliance if
176 the recovery residence administrator provides false or
177 misleading information to the credentialing entity at any time.

178 (8)

179 (c) Notwithstanding paragraph (b), a Level IV certified
180 recovery residence operating as community housing as defined in
181 s. 397.311(9), which residence is actively managed by a
182 certified recovery residence administrator approved for 100
183 residents under this section and is wholly owned or controlled
184 by a licensed service provider, may actively manage up to 150
185 residents so long as the licensed service provider maintains a
186 service provider personnel-to-patient ratio of 1 to 8 and
187 maintains onsite supervision at the residence 24 hours a day, 7
188 days a week, with a personnel-to-resident ratio of 1 to 10. A
189 certified recovery residence administrator who has been removed

Amendment No.1

190 by a certified recovery residence due to termination,
191 resignation, or any other reason may not continue to actively
192 manage more than 50 residents for another service provider or
193 certified recovery residence without being approved by the
194 credentialing entity.

195 Section 5. Paragraph (d) of subsection (4) of section
196 119.071, Florida Statutes, is amended to read:

197 119.071 General exemptions from inspection or copying of
198 public records.—

199 (4) AGENCY PERSONNEL INFORMATION.—

200 (d)1. For purposes of this paragraph, the term:

201 a. "Home addresses" means the dwelling location at which
202 an individual resides and includes the physical address, mailing
203 address, street address, parcel identification number, plot
204 identification number, legal property description, neighborhood
205 name and lot number, GPS coordinates, and any other descriptive
206 property information that may reveal the home address.

207 b. "Judicial assistant" means a court employee assigned to
208 the following class codes: 8140, 8150, 8310, and 8320.

209 c. "Telephone numbers" includes home telephone numbers,
210 personal cellular telephone numbers, personal pager telephone
211 numbers, and telephone numbers associated with personal
212 communications devices.

213 2.a. The home addresses, telephone numbers, dates of
214 birth, and photographs of active or former sworn law enforcement

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

215 personnel or of active or former civilian personnel employed by
216 a law enforcement agency, including correctional and
217 correctional probation officers, personnel of the Department of
218 Children and Families whose duties include the investigation of
219 abuse, neglect, exploitation, fraud, theft, or other criminal
220 activities, personnel of the Department of Health whose duties
221 are to support the investigation of child abuse or neglect, and
222 personnel of the Department of Revenue or local governments
223 whose responsibilities include revenue collection and
224 enforcement or child support enforcement; the names, home
225 addresses, telephone numbers, photographs, dates of birth, and
226 places of employment of the spouses and children of such
227 personnel; and the names and locations of schools and day care
228 facilities attended by the children of such personnel are exempt
229 from s. 119.07(1) and s. 24(a), Art. I of the State
230 Constitution.

231 b. The home addresses, telephone numbers, dates of birth,
232 and photographs of current or former nonsworn investigative
233 personnel of the Department of Financial Services whose duties
234 include the investigation of fraud, theft, workers' compensation
235 coverage requirements and compliance, other related criminal
236 activities, or state regulatory requirement violations; the
237 names, home addresses, telephone numbers, dates of birth, and
238 places of employment of the spouses and children of such
239 personnel; and the names and locations of schools and day care

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

240 facilities attended by the children of such personnel are exempt
241 from s. 119.07(1) and s. 24(a), Art. I of the State
242 Constitution.

243 c. The home addresses, telephone numbers, dates of birth,
244 and photographs of current or former nonsworn investigative
245 personnel of the Office of Financial Regulation's Bureau of
246 Financial Investigations whose duties include the investigation
247 of fraud, theft, other related criminal activities, or state
248 regulatory requirement violations; the names, home addresses,
249 telephone numbers, dates of birth, and places of employment of
250 the spouses and children of such personnel; and the names and
251 locations of schools and day care facilities attended by the
252 children of such personnel are exempt from s. 119.07(1) and s.
253 24(a), Art. I of the State Constitution.

254 d. The home addresses, telephone numbers, dates of birth,
255 and photographs of current or former firefighters certified in
256 compliance with s. 633.408; the names, home addresses, telephone
257 numbers, photographs, dates of birth, and places of employment
258 of the spouses and children of such firefighters; and the names
259 and locations of schools and day care facilities attended by the
260 children of such firefighters are exempt from s. 119.07(1) and
261 s. 24(a), Art. I of the State Constitution.

262 e. The home addresses, dates of birth, and telephone
263 numbers of current or former justices of the Supreme Court,
264 district court of appeal judges, circuit court judges, and

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

265 county court judges, and of current judicial assistants; the
266 names, home addresses, telephone numbers, dates of birth, and
267 places of employment of the spouses and children of current or
268 former justices and judges and of current judicial assistants;
269 and the names and locations of schools and day care facilities
270 attended by the children of current or former justices and
271 judges and of current judicial assistants are exempt from s.
272 119.07(1) and s. 24(a), Art. I of the State Constitution. This
273 sub-subparagraph is subject to the Open Government Sunset Review
274 Act in accordance with s. 119.15 and shall stand repealed on
275 October 2, 2028, unless reviewed and saved from repeal through
276 reenactment by the Legislature.

277 f. The home addresses, telephone numbers, dates of birth,
278 and photographs of current or former state attorneys, assistant
279 state attorneys, statewide prosecutors, or assistant statewide
280 prosecutors; the names, home addresses, telephone numbers,
281 photographs, dates of birth, and places of employment of the
282 spouses and children of current or former state attorneys,
283 assistant state attorneys, statewide prosecutors, or assistant
284 statewide prosecutors; and the names and locations of schools
285 and day care facilities attended by the children of current or
286 former state attorneys, assistant state attorneys, statewide
287 prosecutors, or assistant statewide prosecutors are exempt from
288 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Amendment No.1

289 g. The home addresses, dates of birth, and telephone
290 numbers of general magistrates, special magistrates, judges of
291 compensation claims, administrative law judges of the Division
292 of Administrative Hearings, and child support enforcement
293 hearing officers; the names, home addresses, telephone numbers,
294 dates of birth, and places of employment of the spouses and
295 children of general magistrates, special magistrates, judges of
296 compensation claims, administrative law judges of the Division
297 of Administrative Hearings, and child support enforcement
298 hearing officers; and the names and locations of schools and day
299 care facilities attended by the children of general magistrates,
300 special magistrates, judges of compensation claims,
301 administrative law judges of the Division of Administrative
302 Hearings, and child support enforcement hearing officers are
303 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
304 Constitution.

305 h. The home addresses, telephone numbers, dates of birth,
306 and photographs of current or former human resource, labor
307 relations, or employee relations directors, assistant directors,
308 managers, or assistant managers of any local government agency
309 or water management district whose duties include hiring and
310 firing employees, labor contract negotiation, administration, or
311 other personnel-related duties; the names, home addresses,
312 telephone numbers, dates of birth, and places of employment of
313 the spouses and children of such personnel; and the names and

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

314 locations of schools and day care facilities attended by the
315 children of such personnel are exempt from s. 119.07(1) and s.
316 24(a), Art. I of the State Constitution.

317 i. The home addresses, telephone numbers, dates of birth,
318 and photographs of current or former code enforcement officers;
319 the names, home addresses, telephone numbers, dates of birth,
320 and places of employment of the spouses and children of such
321 personnel; and the names and locations of schools and day care
322 facilities attended by the children of such personnel are exempt
323 from s. 119.07(1) and s. 24(a), Art. I of the State
324 Constitution.

325 j. The home addresses, telephone numbers, places of
326 employment, dates of birth, and photographs of current or former
327 guardians ad litem, as defined in s. 39.820; the names, home
328 addresses, telephone numbers, dates of birth, and places of
329 employment of the spouses and children of such persons; and the
330 names and locations of schools and day care facilities attended
331 by the children of such persons are exempt from s. 119.07(1) and
332 s. 24(a), Art. I of the State Constitution.

333 k. The home addresses, telephone numbers, dates of birth,
334 and photographs of current or former juvenile probation
335 officers, juvenile probation supervisors, detention
336 superintendents, assistant detention superintendents, juvenile
337 justice detention officers I and II, juvenile justice detention
338 officer supervisors, juvenile justice residential officers,

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

339 juvenile justice residential officer supervisors I and II,
340 juvenile justice counselors, juvenile justice counselor
341 supervisors, human services counselor administrators, senior
342 human services counselor administrators, rehabilitation
343 therapists, and social services counselors of the Department of
344 Juvenile Justice; the names, home addresses, telephone numbers,
345 dates of birth, and places of employment of spouses and children
346 of such personnel; and the names and locations of schools and
347 day care facilities attended by the children of such personnel
348 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
349 Constitution.

350 1. The home addresses, telephone numbers, dates of birth,
351 and photographs of current or former public defenders, assistant
352 public defenders, criminal conflict and civil regional counsel,
353 and assistant criminal conflict and civil regional counsel; the
354 names, home addresses, telephone numbers, dates of birth, and
355 places of employment of the spouses and children of current or
356 former public defenders, assistant public defenders, criminal
357 conflict and civil regional counsel, and assistant criminal
358 conflict and civil regional counsel; and the names and locations
359 of schools and day care facilities attended by the children of
360 current or former public defenders, assistant public defenders,
361 criminal conflict and civil regional counsel, and assistant
362 criminal conflict and civil regional counsel are exempt from s.
363 119.07(1) and s. 24(a), Art. I of the State Constitution.

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

364 m. The home addresses, telephone numbers, dates of birth,
365 and photographs of current or former investigators or inspectors
366 of the Department of Business and Professional Regulation; the
367 names, home addresses, telephone numbers, dates of birth, and
368 places of employment of the spouses and children of such current
369 or former investigators and inspectors; and the names and
370 locations of schools and day care facilities attended by the
371 children of such current or former investigators and inspectors
372 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
373 Constitution.

374 n. The home addresses, telephone numbers, and dates of
375 birth of county tax collectors; the names, home addresses,
376 telephone numbers, dates of birth, and places of employment of
377 the spouses and children of such tax collectors; and the names
378 and locations of schools and day care facilities attended by the
379 children of such tax collectors are exempt from s. 119.07(1) and
380 s. 24(a), Art. I of the State Constitution.

381 o. The home addresses, telephone numbers, dates of birth,
382 and photographs of current or former personnel of the Department
383 of Health whose duties include, or result in, the determination
384 or adjudication of eligibility for social security disability
385 benefits, the investigation or prosecution of complaints filed
386 against health care practitioners, or the inspection of health
387 care practitioners or health care facilities licensed by the
388 Department of Health; the names, home addresses, telephone

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

389 numbers, dates of birth, and places of employment of the spouses
390 and children of such personnel; and the names and locations of
391 schools and day care facilities attended by the children of such
392 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
393 the State Constitution.

394 p. The home addresses, telephone numbers, dates of birth,
395 and photographs of current or former impaired practitioner
396 consultants who are retained by an agency or current or former
397 employees of an impaired practitioner consultant whose duties
398 result in a determination of a person's skill and safety to
399 practice a licensed profession; the names, home addresses,
400 telephone numbers, dates of birth, and places of employment of
401 the spouses and children of such consultants or their employees;
402 and the names and locations of schools and day care facilities
403 attended by the children of such consultants or employees are
404 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
405 Constitution.

406 q. The home addresses, telephone numbers, dates of birth,
407 and photographs of current or former emergency medical
408 technicians or paramedics certified under chapter 401; the
409 names, home addresses, telephone numbers, dates of birth, and
410 places of employment of the spouses and children of such
411 emergency medical technicians or paramedics; and the names and
412 locations of schools and day care facilities attended by the
413 children of such emergency medical technicians or paramedics are

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

414 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
415 Constitution.

416 r. The home addresses, telephone numbers, dates of birth,
417 and photographs of current or former personnel employed in an
418 agency's office of inspector general or internal audit
419 department whose duties include auditing or investigating waste,
420 fraud, abuse, theft, exploitation, or other activities that
421 could lead to criminal prosecution or administrative discipline;
422 the names, home addresses, telephone numbers, dates of birth,
423 and places of employment of spouses and children of such
424 personnel; and the names and locations of schools and day care
425 facilities attended by the children of such personnel are exempt
426 from s. 119.07(1) and s. 24(a), Art. I of the State
427 Constitution.

428 s. The home addresses, telephone numbers, dates of birth,
429 and photographs of current or former directors, managers,
430 supervisors, nurses, and clinical employees of an addiction
431 treatment facility; the home addresses, telephone numbers,
432 photographs, dates of birth, and places of employment of the
433 spouses and children of such personnel; and the names and
434 locations of schools and day care facilities attended by the
435 children of such personnel are exempt from s. 119.07(1) and s.
436 24(a), Art. I of the State Constitution. For purposes of this
437 sub-subparagraph, the term "addiction treatment facility" means
438 a county government, or agency thereof, that is licensed

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

439 pursuant to s. 397.401 and provides substance abuse prevention,
440 intervention, or clinical treatment, including any licensed
441 service component described in s. 397.311(27) ~~s. 397.311(26)~~.

442 t. The home addresses, telephone numbers, dates of birth,
443 and photographs of current or former directors, managers,
444 supervisors, and clinical employees of a child advocacy center
445 that meets the standards of s. 39.3035(2) and fulfills the
446 screening requirement of s. 39.3035(3), and the members of a
447 Child Protection Team as described in s. 39.303 whose duties
448 include supporting the investigation of child abuse or sexual
449 abuse, child abandonment, child neglect, and child exploitation
450 or to provide services as part of a multidisciplinary case
451 review team; the names, home addresses, telephone numbers,
452 photographs, dates of birth, and places of employment of the
453 spouses and children of such personnel and members; and the
454 names and locations of schools and day care facilities attended
455 by the children of such personnel and members are exempt from s.
456 119.07(1) and s. 24(a), Art. I of the State Constitution.

457 u. The home addresses, telephone numbers, places of
458 employment, dates of birth, and photographs of current or former
459 staff and domestic violence advocates, as defined in s.
460 90.5036(1)(b), of domestic violence centers certified by the
461 Department of Children and Families under chapter 39; the names,
462 home addresses, telephone numbers, places of employment, dates
463 of birth, and photographs of the spouses and children of such

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

464 personnel; and the names and locations of schools and day care
465 facilities attended by the children of such personnel are exempt
466 from s. 119.07(1) and s. 24(a), Art. I of the State
467 Constitution.

468 v. The home addresses, telephone numbers, dates of birth,
469 and photographs of current or former inspectors or investigators
470 of the Department of Agriculture and Consumer Services; the
471 names, home addresses, telephone numbers, dates of birth, and
472 places of employment of the spouses and children of current or
473 former inspectors or investigators; and the names and locations
474 of schools and day care facilities attended by the children of
475 current or former inspectors or investigators are exempt from s.
476 119.07(1) and s. 24(a), Art. I of the State Constitution. This
477 sub-subparagraph is subject to the Open Government Sunset Review
478 Act in accordance with s. 119.15 and shall stand repealed on
479 October 2, 2028, unless reviewed and saved from repeal through
480 reenactment by the Legislature.

481 3. An agency that is the custodian of the information
482 specified in subparagraph 2. and that is not the employer of the
483 officer, employee, justice, judge, or other person specified in
484 subparagraph 2. must maintain the exempt status of that
485 information only if the officer, employee, justice, judge, other
486 person, or employing agency of the designated employee submits a
487 written and notarized request for maintenance of the exemption
488 to the custodial agency. The request must state under oath the

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

489 statutory basis for the individual's exemption request and
490 confirm the individual's status as a party eligible for exempt
491 status.

492 4.a. A county property appraiser, as defined in s.
493 192.001(3), or a county tax collector, as defined in s.
494 192.001(4), who receives a written and notarized request for
495 maintenance of the exemption pursuant to subparagraph 3. must
496 comply by removing the name of the individual with exempt status
497 and the instrument number or Official Records book and page
498 number identifying the property with the exempt status from all
499 publicly available records maintained by the property appraiser
500 or tax collector. For written requests received on or before
501 July 1, 2021, a county property appraiser or county tax
502 collector must comply with this sub-subparagraph by October 1,
503 2021. A county property appraiser or county tax collector may
504 not remove the street address, legal description, or other
505 information identifying real property within the agency's
506 records so long as a name or personal information otherwise
507 exempt from inspection and copying pursuant to this section is
508 not associated with the property or otherwise displayed in the
509 public records of the agency.

510 b. Any information restricted from public display,
511 inspection, or copying under sub-subparagraph a. must be
512 provided to the individual whose information was removed.

Amendment No.1

513 5. An officer, an employee, a justice, a judge, or other
514 person specified in subparagraph 2. may submit a written request
515 for the release of his or her exempt information to the
516 custodial agency. The written request must be notarized and must
517 specify the information to be released and the party authorized
518 to receive the information. Upon receipt of the written request,
519 the custodial agency must release the specified information to
520 the party authorized to receive such information.

521 6. The exemptions in this paragraph apply to information
522 held by an agency before, on, or after the effective date of the
523 exemption.

524 7. Information made exempt under this paragraph may be
525 disclosed pursuant to s. 28.2221 to a title insurer authorized
526 pursuant to s. 624.401 and its affiliates as defined in s.
527 624.10; a title insurance agent or title insurance agency as
528 defined in s. 626.841(1) or (2), respectively; or an attorney
529 duly admitted to practice law in this state and in good standing
530 with The Florida Bar.

531 8. The exempt status of a home address contained in the
532 Official Records is maintained only during the period when a
533 protected party resides at the dwelling location. Upon
534 conveyance of real property after October 1, 2021, and when such
535 real property no longer constitutes a protected party's home
536 address as defined in sub-subparagraph 1.a., the protected party
537 must submit a written request to release the removed information

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

538 to the county recorder. The written request to release the
539 removed information must be notarized, must confirm that a
540 protected party's request for release is pursuant to a
541 conveyance of his or her dwelling location, and must specify the
542 Official Records book and page, instrument number, or clerk's
543 file number for each document containing the information to be
544 released.

545 9. Upon the death of a protected party as verified by a
546 certified copy of a death certificate or court order, any party
547 can request the county recorder to release a protected
548 decedent's removed information unless there is a related request
549 on file with the county recorder for continued removal of the
550 decedent's information or unless such removal is otherwise
551 prohibited by statute or by court order. The written request to
552 release the removed information upon the death of a protected
553 party must attach the certified copy of a death certificate or
554 court order and must be notarized, must confirm the request for
555 release is due to the death of a protected party, and must
556 specify the Official Records book and page number, instrument
557 number, or clerk's file number for each document containing the
558 information to be released. A fee may not be charged for the
559 release of any document pursuant to such request.

560 10. Except as otherwise expressly provided in this
561 paragraph, this paragraph is subject to the Open Government
562 Sunset Review Act in accordance with s. 119.15 and shall stand

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

563 repealed on October 2, 2024, unless reviewed and saved from
564 repeal through reenactment by the Legislature.

565 Section 6. Paragraph (a) of subsection (4) of section
566 381.0038, Florida Statutes, is amended to read:

567 381.0038 Education; sterile needle and syringe exchange
568 programs.—The Department of Health shall establish a program to
569 educate the public about the threat of acquired immune
570 deficiency syndrome.

571 (4) A county commission may authorize a sterile needle and
572 syringe exchange program to operate within its county
573 boundaries. The program may operate at one or more fixed
574 locations or through mobile health units. The program shall
575 offer the free exchange of clean, unused needles and hypodermic
576 syringes for used needles and hypodermic syringes as a means to
577 prevent the transmission of HIV, AIDS, viral hepatitis, or other
578 blood-borne diseases among intravenous drug users and their
579 sexual partners and offspring. Prevention of disease
580 transmission must be the goal of the program. For the purposes
581 of this subsection, the term "exchange program" means a sterile
582 needle and syringe exchange program established by a county
583 commission under this subsection. A sterile needle and syringe
584 exchange program may not operate unless it is authorized and
585 approved by a county commission in accordance with this
586 subsection.

Amendment No.1

587 (a) Before an exchange program may be established, a
588 county commission must:

589 1. Authorize the program under the provisions of a county
590 ordinance;

591 2. Enter into a letter of agreement with the department in
592 which the county commission agrees that any exchange program
593 authorized by the county commission will operate in accordance
594 with this subsection;

595 3. Enlist the local county health department to provide
596 ongoing advice, consultation, and recommendations for the
597 operation of the program;

598 4. Contract with one of the following entities to operate
599 the program:

600 a. A hospital licensed under chapter 395.
601 b. A health care clinic licensed under part X of chapter
602 400.
603 c. A medical school in this state accredited by the
604 Liaison Committee on Medical Education or the Commission on
605 Osteopathic College Accreditation.
606 d. A licensed addictions receiving facility as defined in
607 s. 397.311(27)(a)1. ~~s. 397.311(26)(a)1.~~
608 e. A s. 501(c)(3) HIV/AIDS service organization.

609 Section 7. Paragraph (e) of subsection (2) of section
610 394.4573, Florida Statutes, is amended to read:

Amendment No.1

611 394.4573 Coordinated system of care; annual assessment;
612 essential elements; measures of performance; system improvement
613 grants; reports.—On or before December 1 of each year, the
614 department shall submit to the Governor, the President of the
615 Senate, and the Speaker of the House of Representatives an
616 assessment of the behavioral health services in this state. The
617 assessment shall consider, at a minimum, the extent to which
618 designated receiving systems function as no-wrong-door models,
619 the availability of treatment and recovery services that use
620 recovery-oriented and peer-involved approaches, the availability
621 of less-restrictive services, and the use of evidence-informed
622 practices. The assessment shall also consider the availability
623 of and access to coordinated specialty care programs and
624 identify any gaps in the availability of and access to such
625 programs in the state. The department's assessment shall
626 consider, at a minimum, the needs assessments conducted by the
627 managing entities pursuant to s. 394.9082(5). The department
628 shall compile and include in the report all plans submitted by
629 managing entities pursuant to s. 394.9082(8) and the
630 department's evaluation of each plan.

631 (2) The essential elements of a coordinated system of care
632 include:

633 (e) Case management. Each case manager or person directly
634 supervising a case manager who provides Medicaid-funded targeted
635 case management services shall hold a valid certification from a

Amendment No.1

636 department-approved credentialing entity as defined in s.
637 397.311(11) ~~s. 397.311(10)~~ by July 1, 2017, and, thereafter,
638 within 6 months after hire.

639 Section 8. Subsection (6) of section 394.9085, Florida
640 Statutes, is amended to read:

641 394.9085 Behavioral provider liability.—

642 (6) For purposes of this section, the terms
643 "detoxification ~~services,~~" "addictions receiving facility," and
644 "receiving facility" have the same meanings as those provided in
645 ss. 397.311(27) (a) 4., 397.311(27) (a) 1. ~~ss. 397.311(26) (a) 3.,~~
646 ~~397.311(26) (a) 1.,~~ and 394.455(40), respectively.

647 Section 9. Subsection (8) of section 397.4012, Florida
648 Statutes, is amended to read:

649 397.4012 Exemptions from licensure.—The following are
650 exempt from the licensing provisions of this chapter:

651 (8) A legally cognizable church or nonprofit religious
652 organization or denomination providing substance abuse services,
653 including prevention services, which are solely religious,
654 spiritual, or ecclesiastical in nature. A church or nonprofit
655 religious organization or denomination providing any of the
656 licensed service components itemized under s. 397.311(27) ~~s.~~
657 ~~397.311(26)~~ is not exempt from substance abuse licensure but
658 retains its exemption with respect to all services which are
659 solely religious, spiritual, or ecclesiastical in nature.

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534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

661 The exemptions from licensure in subsections (3), (4), (8), (9),
662 and (10) do not apply to any service provider that receives an
663 appropriation, grant, or contract from the state to operate as a
664 service provider as defined in this chapter or to any substance
665 abuse program regulated under s. 397.4014. Furthermore, this
666 chapter may not be construed to limit the practice of a
667 physician or physician assistant licensed under chapter 458 or
668 chapter 459, a psychologist licensed under chapter 490, a
669 psychotherapist licensed under chapter 491, or an advanced
670 practice registered nurse licensed under part I of chapter 464,
671 who provides substance abuse treatment, so long as the
672 physician, physician assistant, psychologist, psychotherapist,
673 or advanced practice registered nurse does not represent to the
674 public that he or she is a licensed service provider and does
675 not provide services to individuals under part V of this
676 chapter. Failure to comply with any requirement necessary to
677 maintain an exempt status under this section is a misdemeanor of
678 the first degree, punishable as provided in s. 775.082 or s.
679 775.083.

680 Section 10. Subsections (1) and (6) of section 397.407,
681 Florida Statutes, are amended to read:

682 397.407 Licensure process; fees.—

683 (1) The department shall establish the licensure process
684 to include fees and categories of licenses and must prescribe a
685 fee range that is based, at least in part, on the number and

Amendment No.1

686 complexity of programs listed in s. 397.311(27) ~~s. 397.311(26)~~
687 which are operated by a licensee. The fees from the licensure of
688 service components are sufficient to cover the costs of
689 regulating the service components. The department shall specify
690 a fee range for public and privately funded licensed service
691 providers. Fees for privately funded licensed service providers
692 must exceed the fees for publicly funded licensed service
693 providers.

694 (6) The department may issue probationary, regular, and
695 interim licenses. The department shall issue one license for
696 each service component that is operated by a service provider
697 and defined pursuant to s. 397.311(27) ~~s. 397.311(26)~~. The
698 license is valid only for the specific service components listed
699 for each specific location identified on the license. The
700 licensed service provider shall apply for a new license at least
701 60 days before the addition of any service components or 30 days
702 before the relocation of any of its service sites. Provision of
703 service components or delivery of services at a location not
704 identified on the license may be considered an unlicensed
705 operation that authorizes the department to seek an injunction
706 against operation as provided in s. 397.401, in addition to
707 other sanctions authorized by s. 397.415. Probationary and
708 regular licenses may be issued only after all required
709 information has been submitted. A license may not be
710 transferred. As used in this subsection, the term "transfer"

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

711 includes, but is not limited to, the transfer of a majority of
712 the ownership interest in the licensed entity or transfer of
713 responsibilities under the license to another entity by
714 contractual arrangement.

715 Section 11. Subsection (1) of section 397.410, Florida
716 Statutes, is amended to read:

717 397.410 Licensure requirements; minimum standards; rules.—

718 (1) The department shall establish minimum requirements
719 for licensure of each service component, as defined in s.
720 397.311(27) ~~s. 397.311(26)~~, including, but not limited to:

721 (a) Standards and procedures for the administrative
722 management of the licensed service component, including
723 procedures for recordkeeping, referrals, and financial
724 management.

725 (b) Standards consistent with clinical and treatment best
726 practices that ensure the provision of quality treatment for
727 individuals receiving substance abuse treatment services.

728 (c) The number and qualifications of all personnel,
729 including, but not limited to, management, nursing, and
730 qualified professionals, having responsibility for any part of
731 an individual's clinical treatment. These requirements must
732 include, but are not limited to:

733 1. Education; credentials, such as licensure or
734 certification, if appropriate; training; and supervision of
735 personnel providing direct clinical treatment.

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

Amendment No.1

736 2. Minimum staffing ratios to provide adequate safety,
737 care, and treatment.

738 3. Hours of staff coverage.

739 4. The maximum number of individuals who may receive
740 clinical services together in a group setting.

741 5. The maximum number of licensed service providers for
742 which a physician may serve as medical director and the total
743 number of individuals he or she may treat in that capacity.

744 (d) Service provider facility standards, including, but
745 not limited to:

746 1. Safety and adequacy of the facility and grounds.

747 2. Space, furnishings, and equipment for each individual
748 served.

749 3. Infection control, housekeeping, sanitation, and
750 facility maintenance.

751 4. Meals and snacks.

752 (e) Disaster planning policies and procedures.

753 (f) A prohibition on the premises against alcohol,
754 marijuana, illegal drugs, and the use of prescribed medications
755 by an individual other than the individual for whom the
756 medication is prescribed. For the purposes of this paragraph,
757 "marijuana" includes marijuana that has been certified by a
758 qualified physician for medical use in accordance with s.
759 381.986.

Amendment No.1

760 Section 12. Section 397.416, Florida Statutes, is amended
761 to read:

762 397.416 Substance abuse treatment services; qualified
763 professional.—Notwithstanding any other provision of law, a
764 person who was certified through a certification process
765 recognized by the former Department of Health and Rehabilitative
766 Services before January 1, 1995, may perform the duties of a
767 qualified professional with respect to substance abuse treatment
768 services as defined in this chapter, and need not meet the
769 certification requirements contained in s. 397.311(36) ~~s.~~
770 ~~397.311(35)~~.

771 Section 13. Paragraph (h) of subsection (1) of section
772 893.13, Florida Statutes, is amended to read:

773 893.13 Prohibited acts; penalties.—

774 (1)

775 (h) Except as authorized by this chapter, a person may not
776 sell, manufacture, or deliver, or possess with intent to sell,
777 manufacture, or deliver, a controlled substance in, on, or
778 within 1,000 feet of the real property comprising a mental
779 health facility, as that term is used in chapter 394; a health
780 care facility licensed under chapter 395 which provides
781 substance abuse treatment; a licensed service provider as
782 defined in s. 397.311; a facility providing services that
783 include clinical treatment, intervention, or prevention as
784 described in s. 397.311(27) ~~s. 397.311(26)~~; a recovery residence

Amendment No.1

785 as defined in s. 397.311; an assisted living facility as defined
786 in chapter 429; or a pain management clinic as defined in s.
787 458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who
788 violates this paragraph with respect to:

789 1. A controlled substance named or described in s.
790 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
791 commits a felony of the first degree, punishable as provided in
792 s. 775.082, s. 775.083, or s. 775.084.

793 2. A controlled substance named or described in s.
794 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
795 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
796 the second degree, punishable as provided in s. 775.082, s.
797 775.083, or s. 775.084.

798 3. Any other controlled substance, except as lawfully
799 sold, manufactured, or delivered, must be sentenced to pay a
800 \$500 fine and to serve 100 hours of public service in addition
801 to any other penalty prescribed by law.

802 Section 14. This act shall take effect July 1, 2024.

803
804 -----

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

805 Remove everything before the enacting clause and insert:
806 An act relating to substance abuse treatment; amending s.
807 397.311, F.S.; providing the levels of care at certified
808 recovery residences and their respective levels of care for
809

Amendment No.1

810 residents; defining the term "community housing"; amending s.
811 397.407, F.S.; authorizing, rather than requiring, the
812 Department of Children and Families to issue a license for
813 certain service components operated by a service provider;
814 deleting the timeframe in which a licensed service provider must
815 apply for additional services and requiring the service provider
816 to obtain approval prior to relocating to a different service
817 site; removing a requirement that a separate license is required
818 for each service component maintained by a service provider;
819 amending s. 397.487, F.S.; extending the deadline for certified
820 recovery residences to retain a replacement for a certified
821 recovery residence administrator who has been removed from his
822 or her position; requiring certified recovery residences to
823 remove certain individuals from their positions if they are
824 arrested and awaiting disposition for, are found guilty of, or
825 enter a plea of guilty or nolo contendere to certain offenses,
826 regardless if adjudication is withheld; requiring the certified
827 recovery residence to retain a certified recovery residence
828 administrator if the previous certified recovery residence
829 administrator has been removed due to any reason; conforming
830 provisions to changes made by the act; prohibiting certified
831 recovery residences, on or after a specified date, from denying
832 an individual access to housing solely for being prescribed
833 federally approved medications from licensed health care
834 professionals; prohibiting local ordinances or regulations from

534935 - h1065 -strike all.docx

Published On: 2/21/2024 7:57:37 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1065 (2024)

Amendment No.1

835 further regulating after a specified date the duration or
836 frequency of a resident's stay in a certified recovery residence
837 located within a certain zoning districts; providing
838 applicability; amending s. 397.4871, F.S.; conforming provisions
839 to changes made by the act; authorizing certain Level IV
840 certified recovery residences owned or controlled by a licensed
841 service provider and managed by a certified recovery residence
842 administrator approved for a specified number of residents to
843 manage a specified greater number of residents, provided that
844 certain criteria are met; prohibiting a certified recovery
845 residence administrator who has been removed by a certified
846 recovery residence from taking on certain other management
847 positions without approval from a credentialing entity; amending
848 ss. 119.071, 381.0038, 394.4573, 394.9085, 397.4012, 397.407,
849 397.410, 397.416, and 893.13, F.S.; conforming provisions to
850 changes made by the act; providing an effective date.

534935 - h1065 -strike all.docx

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