

26 hotels, apartment houses, roominghouses, tourist or trailer
27 camps and real property, the same being defined as follows:

28 (k) For purposes of this chapter, recovery residences
29 certified pursuant to s. 397.487 which rent properties are not
30 subject to any taxes imposed on transient accommodations,
31 including taxes imposed under s. 212.03; any locally imposed
32 discretionary sales surtax or any convention development tax
33 imposed under s. 212.0305; any tourist development tax imposed
34 under s. 125.0104; or any tourist impact tax imposed under s.
35 125.0108.

36 Section 2. Subsections (9) through (50) of section
37 397.311, Florida Statutes, are renumbered as subsections (10)
38 through (51), respectively, subsection (5) and present
39 subsection (43) are amended, and a new subsection (9) is added
40 to that section, to read:

41 397.311 Definitions.—As used in this chapter, except part
42 VIII, the term:

43 (5) "Certified recovery residence" means a recovery
44 residence that holds a valid certificate of compliance and is
45 actively managed by a certified recovery residence
46 administrator.

47 (a) Level I certified recovery residences that house
48 individuals in recovery who are post-treatment, with a minimum
49 of 9 months of sobriety. Level I certified homes are
50 democratically run by the members who reside in the home.

51 (b) Level II certified recovery residences encompass the
52 traditional perspectives of sober living homes. There is
53 oversight from a house manager with lived experience, typically
54 a senior resident. Residents are expected to follow rules
55 outlined in a resident handbook, pay dues, if applicable, and
56 work toward achieving milestones within a chosen recovery path.

57 (c) Level III certified recovery residences offer higher
58 supervision by staff with formal training to ensure resident
59 accountability. These homes offer peer-support services and are
60 staffed 24 hours a day. Clinical services are not performed at
61 the residence. The services offered may include, but are not
62 limited to, life skill mentoring, recovery planning, and meal
63 preparation. This support structure is most appropriate for
64 residents who require a more structured environment during early
65 recovery from addiction.

66 (d) A Level IV certified recovery residence are dwellings
67 offered, referred to, or provided by, a licensed service
68 provider to its patients who are required to reside at the
69 residence while receiving intensive outpatient and higher levels
70 of outpatient care. Level IV recovery residences are staffed 24
71 hours a day and combine outpatient licensable services with
72 recovery residential living. Residents are required to follow a
73 treatment plan, attend group and individual sessions, in
74 addition to developing a recovery plan within the social model
75 of recovery spectrum. No clinical services are provided at the

76 residence and all licensable services are provided off-site.

77 (9) "Community housing" means a certified recovery
 78 residence offered, referred to, or provided by a licensed
 79 service provider that provides housing to its patients who are
 80 required to reside at the residence while receiving intensive
 81 outpatient and higher levels of outpatient care. A certified
 82 recovery residence used by a licensed service provider that
 83 meets the definition of community housing shall be classified as
 84 a Level IV level of support, as described in subsection (5).

85 (44)~~(43)~~ "Service component" or "component" means a
 86 discrete operational entity within a service provider which is
 87 subject to licensing as defined by rule. Service components
 88 include prevention, intervention, and clinical treatment
 89 described in subsection (27) ~~(26)~~.

90 Section 3. Paragraph (a) of subsection (2) of section
 91 397.335, Florida Statutes, is amended to read:

92 397.335 Statewide Council on Opioid Abatement.—

93 (2) MEMBERSHIP.—

94 (a) Notwithstanding s. 20.052, the council shall be
 95 composed of the following members:

96 1. The Attorney General, or his or her designee, who shall
 97 serve as chair.

98 2. The secretary of the department, or his or her
 99 designee, who shall serve as vice chair.

100 3. One member appointed by the Governor.

101 4. One member appointed by the President of the Senate.

102 5. One member appointed by the Speaker of the House of
103 Representatives.

104 6. Two members appointed by the Florida League of Cities
105 who are commissioners or mayors of municipalities. One member
106 shall be from a municipality with a population of fewer than
107 50,000 people.

108 7. Two members appointed by or through the Florida
109 Association of Counties who are county commissioners or mayors.
110 One member shall be appointed from a county with a population of
111 fewer than 200,000, and one member shall be appointed from a
112 county with a population of more than 200,000.

113 8. One member who is either a county commissioner or
114 county mayor appointed by the Florida Association of Counties or
115 who is a commissioner or mayor of a municipality appointed by
116 the Florida League of Cities. The Florida Association of
117 Counties shall appoint such member for the initial term, and
118 future appointments must alternate between a member appointed by
119 the Florida League of Cities and a member appointed by the
120 Florida Association of Counties.

121 9. Two members appointed by or through the State Surgeon
122 General. One shall be a staff member from the department who has
123 experience coordinating state and local efforts to abate the
124 opioid epidemic, and one shall be a licensed physician who is
125 board certified in both addiction medicine and psychiatry.

126 10. One member appointed by the Florida Association of
 127 Recovery Residences.

128 11. One member appointed by the Florida Association of EMS
 129 Medical Directors.

130 12. One member appointed by the Florida Society of
 131 Addiction Medicine who is a medical doctor board certified in
 132 addiction medicine.

133 13. One member appointed by the Florida Behavioral Health
 134 Association.

135 14. One member appointed by Floridians for Recovery.

136 15. One member appointed by the Florida Certification
 137 Board.

138 16. One member appointed by the Florida Association of
 139 Managing Entities.

140 Section 4. Paragraph (d) of subsection (4) of section
 141 119.071, Florida Statutes, is amended to read:

142 119.071 General exemptions from inspection or copying of
 143 public records.—

144 (4) AGENCY PERSONNEL INFORMATION.—

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

146 a. "Home addresses" means the dwelling location at which
 147 an individual resides and includes the physical address, mailing
 148 address, street address, parcel identification number, plot
 149 identification number, legal property description, neighborhood
 150 name and lot number, GPS coordinates, and any other descriptive

151 property information that may reveal the home address.

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

154 c. "Telephone numbers" includes home telephone numbers,
155 personal cellular telephone numbers, personal pager telephone
156 numbers, and telephone numbers associated with personal
157 communications devices.

158 2.a. The home addresses, telephone numbers, dates of
159 birth, and photographs of active or former sworn law enforcement
160 personnel or of active or former civilian personnel employed by
161 a law enforcement agency, including correctional and
162 correctional probation officers, personnel of the Department of
163 Children and Families whose duties include the investigation of
164 abuse, neglect, exploitation, fraud, theft, or other criminal
165 activities, personnel of the Department of Health whose duties
166 are to support the investigation of child abuse or neglect, and
167 personnel of the Department of Revenue or local governments
168 whose responsibilities include revenue collection and
169 enforcement or child support enforcement; the names, home
170 addresses, telephone numbers, photographs, dates of birth, and
171 places of employment of the spouses and children of such
172 personnel; and the names and locations of schools and day care
173 facilities attended by the children of such personnel are exempt
174 from s. 119.07(1) and s. 24(a), Art. I of the State
175 Constitution.

176 b. The home addresses, telephone numbers, dates of birth,
177 and photographs of current or former nonsworn investigative
178 personnel of the Department of Financial Services whose duties
179 include the investigation of fraud, theft, workers' compensation
180 coverage requirements and compliance, other related criminal
181 activities, or state regulatory requirement violations; the
182 names, home addresses, telephone numbers, dates of birth, and
183 places of employment of the spouses and children of such
184 personnel; and the names and locations of schools and day care
185 facilities attended by the children of such personnel are exempt
186 from s. 119.07(1) and s. 24(a), Art. I of the State
187 Constitution.

188 c. The home addresses, telephone numbers, dates of birth,
189 and photographs of current or former nonsworn investigative
190 personnel of the Office of Financial Regulation's Bureau of
191 Financial Investigations whose duties include the investigation
192 of fraud, theft, other related criminal activities, or state
193 regulatory requirement violations; the names, home addresses,
194 telephone numbers, dates of birth, and places of employment of
195 the spouses and children of such personnel; and the names and
196 locations of schools and day care facilities attended by the
197 children of such personnel are exempt from s. 119.07(1) and s.
198 24(a), Art. I of the State Constitution.

199 d. The home addresses, telephone numbers, dates of birth,
200 and photographs of current or former firefighters certified in

201 compliance with s. 633.408; the names, home addresses, telephone
202 numbers, photographs, dates of birth, and places of employment
203 of the spouses and children of such firefighters; and the names
204 and locations of schools and day care facilities attended by the
205 children of such firefighters are exempt from s. 119.07(1) and
206 s. 24(a), Art. I of the State Constitution.

207 e. The home addresses, dates of birth, and telephone
208 numbers of current or former justices of the Supreme Court,
209 district court of appeal judges, circuit court judges, and
210 county court judges, and of current judicial assistants; the
211 names, home addresses, telephone numbers, dates of birth, and
212 places of employment of the spouses and children of current or
213 former justices and judges and of current judicial assistants;
214 and the names and locations of schools and day care facilities
215 attended by the children of current or former justices and
216 judges and of current judicial assistants are exempt from s.
217 119.07(1) and s. 24(a), Art. I of the State Constitution. This
218 sub-subparagraph is subject to the Open Government Sunset Review
219 Act in accordance with s. 119.15 and shall stand repealed on
220 October 2, 2028, unless reviewed and saved from repeal through
221 reenactment by the Legislature.

222 f. The home addresses, telephone numbers, dates of birth,
223 and photographs of current or former state attorneys, assistant
224 state attorneys, statewide prosecutors, or assistant statewide
225 prosecutors; the names, home addresses, telephone numbers,

226 | photographs, dates of birth, and places of employment of the
227 | spouses and children of current or former state attorneys,
228 | assistant state attorneys, statewide prosecutors, or assistant
229 | statewide prosecutors; and the names and locations of schools
230 | and day care facilities attended by the children of current or
231 | former state attorneys, assistant state attorneys, statewide
232 | prosecutors, or assistant statewide prosecutors are exempt from
233 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

234 | g. The home addresses, dates of birth, and telephone
235 | numbers of general magistrates, special magistrates, judges of
236 | compensation claims, administrative law judges of the Division
237 | of Administrative Hearings, and child support enforcement
238 | hearing officers; the names, home addresses, telephone numbers,
239 | dates of birth, and places of employment of the spouses and
240 | children of general magistrates, special magistrates, judges of
241 | compensation claims, administrative law judges of the Division
242 | of Administrative Hearings, and child support enforcement
243 | hearing officers; and the names and locations of schools and day
244 | care facilities attended by the children of general magistrates,
245 | special magistrates, judges of compensation claims,
246 | administrative law judges of the Division of Administrative
247 | Hearings, and child support enforcement hearing officers are
248 | exempt from s. 119.07(1) and s. 24(a), Art. I of the State
249 | Constitution.

250 | h. The home addresses, telephone numbers, dates of birth,

251 and photographs of current or former human resource, labor
 252 relations, or employee relations directors, assistant directors,
 253 managers, or assistant managers of any local government agency
 254 or water management district whose duties include hiring and
 255 firing employees, labor contract negotiation, administration, or
 256 other personnel-related duties; the names, home addresses,
 257 telephone numbers, dates of birth, and places of employment of
 258 the spouses and children of such personnel; and the names and
 259 locations of schools and day care facilities attended by the
 260 children of such personnel are exempt from s. 119.07(1) and s.
 261 24(a), Art. I of the State Constitution.

262 i. The home addresses, telephone numbers, dates of birth,
 263 and photographs of current or former code enforcement officers;
 264 the names, home addresses, telephone numbers, dates of birth,
 265 and places of employment of the spouses and children of such
 266 personnel; and the names and locations of schools and day care
 267 facilities attended by the children of such personnel are exempt
 268 from s. 119.07(1) and s. 24(a), Art. I of the State
 269 Constitution.

270 j. The home addresses, telephone numbers, places of
 271 employment, dates of birth, and photographs of current or former
 272 guardians ad litem, as defined in s. 39.820; the names, home
 273 addresses, telephone numbers, dates of birth, and places of
 274 employment of the spouses and children of such persons; and the
 275 names and locations of schools and day care facilities attended

276 | by the children of such persons are exempt from s. 119.07(1) and
 277 | s. 24(a), Art. I of the State Constitution.

278 | k. The home addresses, telephone numbers, dates of birth,
 279 | and photographs of current or former juvenile probation
 280 | officers, juvenile probation supervisors, detention
 281 | superintendents, assistant detention superintendents, juvenile
 282 | justice detention officers I and II, juvenile justice detention
 283 | officer supervisors, juvenile justice residential officers,
 284 | juvenile justice residential officer supervisors I and II,
 285 | juvenile justice counselors, juvenile justice counselor
 286 | supervisors, human services counselor administrators, senior
 287 | human services counselor administrators, rehabilitation
 288 | therapists, and social services counselors of the Department of
 289 | Juvenile Justice; the names, home addresses, telephone numbers,
 290 | dates of birth, and places of employment of spouses and children
 291 | of such personnel; and the names and locations of schools and
 292 | day care facilities attended by the children of such personnel
 293 | are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 294 | Constitution.

295 | l. The home addresses, telephone numbers, dates of birth,
 296 | and photographs of current or former public defenders, assistant
 297 | public defenders, criminal conflict and civil regional counsel,
 298 | and assistant criminal conflict and civil regional counsel; the
 299 | names, home addresses, telephone numbers, dates of birth, and
 300 | places of employment of the spouses and children of current or

301 former public defenders, assistant public defenders, criminal
302 conflict and civil regional counsel, and assistant criminal
303 conflict and civil regional counsel; and the names and locations
304 of schools and day care facilities attended by the children of
305 current or former public defenders, assistant public defenders,
306 criminal conflict and civil regional counsel, and assistant
307 criminal conflict and civil regional counsel are exempt from s.
308 119.07(1) and s. 24(a), Art. I of the State Constitution.

309 m. The home addresses, telephone numbers, dates of birth,
310 and photographs of current or former investigators or inspectors
311 of the Department of Business and Professional Regulation; the
312 names, home addresses, telephone numbers, dates of birth, and
313 places of employment of the spouses and children of such current
314 or former investigators and inspectors; and the names and
315 locations of schools and day care facilities attended by the
316 children of such current or former investigators and inspectors
317 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
318 Constitution.

319 n. The home addresses, telephone numbers, and dates of
320 birth of county tax collectors; the names, home addresses,
321 telephone numbers, dates of birth, and places of employment of
322 the spouses and children of such tax collectors; and the names
323 and locations of schools and day care facilities attended by the
324 children of such tax collectors are exempt from s. 119.07(1) and
325 s. 24(a), Art. I of the State Constitution.

326 o. The home addresses, telephone numbers, dates of birth,
327 and photographs of current or former personnel of the Department
328 of Health whose duties include, or result in, the determination
329 or adjudication of eligibility for social security disability
330 benefits, the investigation or prosecution of complaints filed
331 against health care practitioners, or the inspection of health
332 care practitioners or health care facilities licensed by the
333 Department of Health; the names, home addresses, telephone
334 numbers, dates of birth, and places of employment of the spouses
335 and children of such personnel; and the names and locations of
336 schools and day care facilities attended by the children of such
337 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
338 the State Constitution.

339 p. The home addresses, telephone numbers, dates of birth,
340 and photographs of current or former impaired practitioner
341 consultants who are retained by an agency or current or former
342 employees of an impaired practitioner consultant whose duties
343 result in a determination of a person's skill and safety to
344 practice a licensed profession; the names, home addresses,
345 telephone numbers, dates of birth, and places of employment of
346 the spouses and children of such consultants or their employees;
347 and the names and locations of schools and day care facilities
348 attended by the children of such consultants or employees are
349 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
350 Constitution.

351 q. The home addresses, telephone numbers, dates of birth,
352 and photographs of current or former emergency medical
353 technicians or paramedics certified under chapter 401; the
354 names, home addresses, telephone numbers, dates of birth, and
355 places of employment of the spouses and children of such
356 emergency medical technicians or paramedics; and the names and
357 locations of schools and day care facilities attended by the
358 children of such emergency medical technicians or paramedics are
359 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
360 Constitution.

361 r. The home addresses, telephone numbers, dates of birth,
362 and photographs of current or former personnel employed in an
363 agency's office of inspector general or internal audit
364 department whose duties include auditing or investigating waste,
365 fraud, abuse, theft, exploitation, or other activities that
366 could lead to criminal prosecution or administrative discipline;
367 the names, home addresses, telephone numbers, dates of birth,
368 and places of employment of spouses and children of such
369 personnel; and the names and locations of schools and day care
370 facilities attended by the children of such personnel are exempt
371 from s. 119.07(1) and s. 24(a), Art. I of the State
372 Constitution.

373 s. The home addresses, telephone numbers, dates of birth,
374 and photographs of current or former directors, managers,
375 supervisors, nurses, and clinical employees of an addiction

376 treatment facility; the home addresses, telephone numbers,
377 photographs, dates of birth, and places of employment of the
378 spouses and children of such personnel; and the names and
379 locations of schools and day care facilities attended by the
380 children of such personnel are exempt from s. 119.07(1) and s.
381 24(a), Art. I of the State Constitution. For purposes of this
382 sub-subparagraph, the term "addiction treatment facility" means
383 a county government, or agency thereof, that is licensed
384 pursuant to s. 397.401 and provides substance abuse prevention,
385 intervention, or clinical treatment, including any licensed
386 service component described in s. 397.311(27) ~~s. 397.311(26)~~.

387 t. The home addresses, telephone numbers, dates of birth,
388 and photographs of current or former directors, managers,
389 supervisors, and clinical employees of a child advocacy center
390 that meets the standards of s. 39.3035(2) and fulfills the
391 screening requirement of s. 39.3035(3), and the members of a
392 Child Protection Team as described in s. 39.303 whose duties
393 include supporting the investigation of child abuse or sexual
394 abuse, child abandonment, child neglect, and child exploitation
395 or to provide services as part of a multidisciplinary case
396 review team; the names, home addresses, telephone numbers,
397 photographs, dates of birth, and places of employment of the
398 spouses and children of such personnel and members; and the
399 names and locations of schools and day care facilities attended
400 by the children of such personnel and members are exempt from s.

401 119.07(1) and s. 24(a), Art. I of the State Constitution.

402 u. The home addresses, telephone numbers, places of
403 employment, dates of birth, and photographs of current or former
404 staff and domestic violence advocates, as defined in s.
405 90.5036(1)(b), of domestic violence centers certified by the
406 Department of Children and Families under chapter 39; the names,
407 home addresses, telephone numbers, places of employment, dates
408 of birth, and photographs of the spouses and children of such
409 personnel; and the names and locations of schools and day care
410 facilities attended by the children of such personnel are exempt
411 from s. 119.07(1) and s. 24(a), Art. I of the State
412 Constitution.

413 v. The home addresses, telephone numbers, dates of birth,
414 and photographs of current or former inspectors or investigators
415 of the Department of Agriculture and Consumer Services; the
416 names, home addresses, telephone numbers, dates of birth, and
417 places of employment of the spouses and children of current or
418 former inspectors or investigators; and the names and locations
419 of schools and day care facilities attended by the children of
420 current or former inspectors or investigators are exempt from s.
421 119.07(1) and s. 24(a), Art. I of the State Constitution. This
422 sub-subparagraph is subject to the Open Government Sunset Review
423 Act in accordance with s. 119.15 and shall stand repealed on
424 October 2, 2028, unless reviewed and saved from repeal through
425 reenactment by the Legislature.

426 3. An agency that is the custodian of the information
427 specified in subparagraph 2. and that is not the employer of the
428 officer, employee, justice, judge, or other person specified in
429 subparagraph 2. must maintain the exempt status of that
430 information only if the officer, employee, justice, judge, other
431 person, or employing agency of the designated employee submits a
432 written and notarized request for maintenance of the exemption
433 to the custodial agency. The request must state under oath the
434 statutory basis for the individual's exemption request and
435 confirm the individual's status as a party eligible for exempt
436 status.

437 4.a. A county property appraiser, as defined in s.
438 192.001(3), or a county tax collector, as defined in s.
439 192.001(4), who receives a written and notarized request for
440 maintenance of the exemption pursuant to subparagraph 3. must
441 comply by removing the name of the individual with exempt status
442 and the instrument number or Official Records book and page
443 number identifying the property with the exempt status from all
444 publicly available records maintained by the property appraiser
445 or tax collector. For written requests received on or before
446 July 1, 2021, a county property appraiser or county tax
447 collector must comply with this sub-subparagraph by October 1,
448 2021. A county property appraiser or county tax collector may
449 not remove the street address, legal description, or other
450 information identifying real property within the agency's

451 records so long as a name or personal information otherwise
452 exempt from inspection and copying pursuant to this section is
453 not associated with the property or otherwise displayed in the
454 public records of the agency.

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

458 5. An officer, an employee, a justice, a judge, or other
459 person specified in subparagraph 2. may submit a written request
460 for the release of his or her exempt information to the
461 custodial agency. The written request must be notarized and must
462 specify the information to be released and the party authorized
463 to receive the information. Upon receipt of the written request,
464 the custodial agency must release the specified information to
465 the party authorized to receive such information.

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

469 7. Information made exempt under this paragraph may be
470 disclosed pursuant to s. 28.2221 to a title insurer authorized
471 pursuant to s. 624.401 and its affiliates as defined in s.
472 624.10; a title insurance agent or title insurance agency as
473 defined in s. 626.841(1) or (2), respectively; or an attorney
474 duly admitted to practice law in this state and in good standing
475 with The Florida Bar.

476 8. The exempt status of a home address contained in the
477 Official Records is maintained only during the period when a
478 protected party resides at the dwelling location. Upon
479 conveyance of real property after October 1, 2021, and when such
480 real property no longer constitutes a protected party's home
481 address as defined in sub-subparagraph 1.a., the protected party
482 must submit a written request to release the removed information
483 to the county recorder. The written request to release the
484 removed information must be notarized, must confirm that a
485 protected party's request for release is pursuant to a
486 conveyance of his or her dwelling location, and must specify the
487 Official Records book and page, instrument number, or clerk's
488 file number for each document containing the information to be
489 released.

490 9. Upon the death of a protected party as verified by a
491 certified copy of a death certificate or court order, any party
492 can request the county recorder to release a protected
493 decedent's removed information unless there is a related request
494 on file with the county recorder for continued removal of the
495 decedent's information or unless such removal is otherwise
496 prohibited by statute or by court order. The written request to
497 release the removed information upon the death of a protected
498 party must attach the certified copy of a death certificate or
499 court order and must be notarized, must confirm the request for
500 release is due to the death of a protected party, and must

501 specify the Official Records book and page number, instrument
 502 number, or clerk's file number for each document containing the
 503 information to be released. A fee may not be charged for the
 504 release of any document pursuant to such request.

505 10. Except as otherwise expressly provided in this
 506 paragraph, this paragraph is subject to the Open Government
 507 Sunset Review Act in accordance with s. 119.15 and shall stand
 508 repealed on October 2, 2024, unless reviewed and saved from
 509 repeal through reenactment by the Legislature.

510 Section 5. Paragraph (a) of subsection (4) of section
 511 381.0038, Florida Statutes, is amended to read:

512 381.0038 Education; sterile needle and syringe exchange
 513 programs.—The Department of Health shall establish a program to
 514 educate the public about the threat of acquired immune
 515 deficiency syndrome.

516 (4) A county commission may authorize a sterile needle and
 517 syringe exchange program to operate within its county
 518 boundaries. The program may operate at one or more fixed
 519 locations or through mobile health units. The program shall
 520 offer the free exchange of clean, unused needles and hypodermic
 521 syringes for used needles and hypodermic syringes as a means to
 522 prevent the transmission of HIV, AIDS, viral hepatitis, or other
 523 blood-borne diseases among intravenous drug users and their
 524 sexual partners and offspring. Prevention of disease
 525 transmission must be the goal of the program. For the purposes

526 of this subsection, the term "exchange program" means a sterile
527 needle and syringe exchange program established by a county
528 commission under this subsection. A sterile needle and syringe
529 exchange program may not operate unless it is authorized and
530 approved by a county commission in accordance with this
531 subsection.

532 (a) Before an exchange program may be established, a
533 county commission must:

534 1. Authorize the program under the provisions of a county
535 ordinance;

536 2. Enter into a letter of agreement with the department in
537 which the county commission agrees that any exchange program
538 authorized by the county commission will operate in accordance
539 with this subsection;

540 3. Enlist the local county health department to provide
541 ongoing advice, consultation, and recommendations for the
542 operation of the program;

543 4. Contract with one of the following entities to operate
544 the program:

545 a. A hospital licensed under chapter 395.

546 b. A health care clinic licensed under part X of chapter
547 400.

548 c. A medical school in this state accredited by the
549 Liaison Committee on Medical Education or the Commission on
550 Osteopathic College Accreditation.

551 d. A licensed addictions receiving facility as defined in
 552 s. 397.311(27)(a)1. ~~s. 397.311(26)(a)1.~~

553 e. A s. 501(c)(3) HIV/AIDS service organization.

554 Section 6. Paragraph (e) of subsection (2) of section
 555 394.4573, Florida Statutes, is amended to read:

556 394.4573 Coordinated system of care; annual assessment;
 557 essential elements; measures of performance; system improvement
 558 grants; reports.—On or before December 1 of each year, the
 559 department shall submit to the Governor, the President of the
 560 Senate, and the Speaker of the House of Representatives an
 561 assessment of the behavioral health services in this state. The
 562 assessment shall consider, at a minimum, the extent to which
 563 designated receiving systems function as no-wrong-door models,
 564 the availability of treatment and recovery services that use
 565 recovery-oriented and peer-involved approaches, the availability
 566 of less-restrictive services, and the use of evidence-informed
 567 practices. The assessment shall also consider the availability
 568 of and access to coordinated specialty care programs and
 569 identify any gaps in the availability of and access to such
 570 programs in the state. The department's assessment shall
 571 consider, at a minimum, the needs assessments conducted by the
 572 managing entities pursuant to s. 394.9082(5). The department
 573 shall compile and include in the report all plans submitted by
 574 managing entities pursuant to s. 394.9082(8) and the
 575 department's evaluation of each plan.

576 (2) The essential elements of a coordinated system of care
 577 include:

578 (e) Case management. Each case manager or person directly
 579 supervising a case manager who provides Medicaid-funded targeted
 580 case management services shall hold a valid certification from a
 581 department-approved credentialing entity as defined in s.
 582 397.311(11) ~~s. 397.311(10)~~ by July 1, 2017, and, thereafter,
 583 within 6 months after hire.

584 Section 7. Subsection (6) of section 394.9085, Florida
 585 Statutes, is amended to read:

586 394.9085 Behavioral provider liability.—

587 (6) For purposes of this section, the terms
 588 "detoxification ~~services,~~" "addictions receiving facility," and
 589 "receiving facility" have the same meanings as those provided in
 590 ss. 397.311(27) (a) 4., 397.311(27) (a) 1. ~~ss. 397.311(26) (a) 3.,~~
 591 ~~397.311(26) (a) 1.,~~ and 394.455(40), respectively.

592 Section 8. Subsection (8) of section 397.4012, Florida
 593 Statutes, is amended to read:

594 397.4012 Exemptions from licensure.—The following are
 595 exempt from the licensing provisions of this chapter:

596 (8) A legally cognizable church or nonprofit religious
 597 organization or denomination providing substance abuse services,
 598 including prevention services, which are solely religious,
 599 spiritual, or ecclesiastical in nature. A church or nonprofit
 600 religious organization or denomination providing any of the

601 licensed service components itemized under s. 397.311(27) ~~s.~~
602 ~~397.311(26)~~ is not exempt from substance abuse licensure but
603 retains its exemption with respect to all services which are
604 solely religious, spiritual, or ecclesiastical in nature.

605

606 The exemptions from licensure in subsections (3), (4), (8), (9),
607 and (10) do not apply to any service provider that receives an
608 appropriation, grant, or contract from the state to operate as a
609 service provider as defined in this chapter or to any substance
610 abuse program regulated under s. 397.4014. Furthermore, this
611 chapter may not be construed to limit the practice of a
612 physician or physician assistant licensed under chapter 458 or
613 chapter 459, a psychologist licensed under chapter 490, a
614 psychotherapist licensed under chapter 491, or an advanced
615 practice registered nurse licensed under part I of chapter 464,
616 who provides substance abuse treatment, so long as the
617 physician, physician assistant, psychologist, psychotherapist,
618 or advanced practice registered nurse does not represent to the
619 public that he or she is a licensed service provider and does
620 not provide services to individuals under part V of this
621 chapter. Failure to comply with any requirement necessary to
622 maintain an exempt status under this section is a misdemeanor of
623 the first degree, punishable as provided in s. 775.082 or s.
624 775.083.

625 Section 9. Subsections (1) and (6) of section 397.407,

626 Florida Statutes, are amended to read:

627 397.407 Licensure process; fees.—

628 (1) The department shall establish the licensure process
629 to include fees and categories of licenses and must prescribe a
630 fee range that is based, at least in part, on the number and
631 complexity of programs listed in s. 397.311(27) ~~s. 397.311(26)~~
632 which are operated by a licensee. The fees from the licensure of
633 service components are sufficient to cover the costs of
634 regulating the service components. The department shall specify
635 a fee range for public and privately funded licensed service
636 providers. Fees for privately funded licensed service providers
637 must exceed the fees for publicly funded licensed service
638 providers.

639 (6) The department may issue probationary, regular, and
640 interim licenses. The department shall issue one license for
641 each service component that is operated by a service provider
642 and defined pursuant to s. 397.311(27) ~~s. 397.311(26)~~. The
643 license is valid only for the specific service components listed
644 for each specific location identified on the license. The
645 licensed service provider shall apply for a new license at least
646 60 days before the addition of any service components or 30 days
647 before the relocation of any of its service sites. Provision of
648 service components or delivery of services at a location not
649 identified on the license may be considered an unlicensed
650 operation that authorizes the department to seek an injunction

651 against operation as provided in s. 397.401, in addition to
652 other sanctions authorized by s. 397.415. Probationary and
653 regular licenses may be issued only after all required
654 information has been submitted. A license may not be
655 transferred. As used in this subsection, the term "transfer"
656 includes, but is not limited to, the transfer of a majority of
657 the ownership interest in the licensed entity or transfer of
658 responsibilities under the license to another entity by
659 contractual arrangement.

660 Section 10. Subsection (1) of section 397.410, Florida
661 Statutes, is amended to read:

662 397.410 Licensure requirements; minimum standards; rules.—

663 (1) The department shall establish minimum requirements
664 for licensure of each service component, as defined in s.
665 397.311(27) ~~s. 397.311(26)~~, including, but not limited to:

666 (a) Standards and procedures for the administrative
667 management of the licensed service component, including
668 procedures for recordkeeping, referrals, and financial
669 management.

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

673 (c) The number and qualifications of all personnel,
674 including, but not limited to, management, nursing, and
675 qualified professionals, having responsibility for any part of

676 an individual's clinical treatment. These requirements must
 677 include, but are not limited to:

678 1. Education; credentials, such as licensure or
 679 certification, if appropriate; training; and supervision of
 680 personnel providing direct clinical treatment.

681 2. Minimum staffing ratios to provide adequate safety,
 682 care, and treatment.

683 3. Hours of staff coverage.

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

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

689 (d) Service provider facility standards, including, but
 690 not limited to:

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

692 2. Space, furnishings, and equipment for each individual
 693 served.

694 3. Infection control, housekeeping, sanitation, and
 695 facility maintenance.

696 4. Meals and snacks.

697 (e) Disaster planning policies and procedures.

698 (f) A prohibition on the premises against alcohol,
 699 marijuana, illegal drugs, and the use of prescribed medications
 700 by an individual other than the individual for whom the

701 medication is prescribed. For the purposes of this paragraph,
 702 "marijuana" includes marijuana that has been certified by a
 703 qualified physician for medical use in accordance with s.
 704 381.986.

705 Section 11. Section 397.416, Florida Statutes, is amended
 706 to read:

707 397.416 Substance abuse treatment services; qualified
 708 professional.—Notwithstanding any other provision of law, a
 709 person who was certified through a certification process
 710 recognized by the former Department of Health and Rehabilitative
 711 Services before January 1, 1995, may perform the duties of a
 712 qualified professional with respect to substance abuse treatment
 713 services as defined in this chapter, and need not meet the
 714 certification requirements contained in s. 397.311(36) ~~s.~~
 715 ~~397.311(35)~~.

716 Section 12. Paragraph (h) of subsection (1) of section
 717 893.13, Florida Statutes, is amended to read:

718 893.13 Prohibited acts; penalties.—

719 (1)

720 (h) Except as authorized by this chapter, a person may not
 721 sell, manufacture, or deliver, or possess with intent to sell,
 722 manufacture, or deliver, a controlled substance in, on, or
 723 within 1,000 feet of the real property comprising a mental
 724 health facility, as that term is used in chapter 394; a health
 725 care facility licensed under chapter 395 which provides

726 substance abuse treatment; a licensed service provider as
727 defined in s. 397.311; a facility providing services that
728 include clinical treatment, intervention, or prevention as
729 described in s. 397.311(27) ~~s. 397.311(26)~~; a recovery residence
730 as defined in s. 397.311; an assisted living facility as defined
731 in chapter 429; or a pain management clinic as defined in s.
732 458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who
733 violates this paragraph with respect to:

734 1. A controlled substance named or described in s.
735 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
736 commits a felony of the first degree, punishable as provided in
737 s. 775.082, s. 775.083, or s. 775.084.

738 2. A controlled substance named or described in s.
739 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
740 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
741 the second degree, punishable as provided in s. 775.082, s.
742 775.083, or s. 775.084.

743 3. Any other controlled substance, except as lawfully
744 sold, manufactured, or delivered, must be sentenced to pay a
745 \$500 fine and to serve 100 hours of public service in addition
746 to any other penalty prescribed by law.

747 Section 13. This act shall take effect July 1, 2024.