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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2024	.	
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The Committee on Children, Families, and Elder Affairs (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 125 - 289

and insert:

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

397.335 Statewide Council on Opioid Abatement.—

(2) MEMBERSHIP.—

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



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- 11 1. The Attorney General, or his or her designee, who shall
12 serve as chair.
- 13 2. The secretary of the department, or his or her designee,
14 who shall serve as vice chair.
- 15 3. One member appointed by the Governor.
- 16 4. One member appointed by the President of the Senate.
- 17 5. One member appointed by the Speaker of the House of
18 Representatives.
- 19 6. Two members appointed by the Florida League of Cities
20 who are commissioners or mayors of municipalities. One member
21 shall be from a municipality with a population of fewer than
22 50,000 people.
- 23 7. Two members appointed by or through the Florida
24 Association of Counties who are county commissioners or mayors.
25 One member shall be appointed from a county with a population of
26 fewer than 200,000, and one member shall be appointed from a
27 county with a population of more than 200,000.
- 28 8. One member who is either a county commissioner or county
29 mayor appointed by the Florida Association of Counties or who is
30 a commissioner or mayor of a municipality appointed by the
31 Florida League of Cities. The Florida Association of Counties
32 shall appoint such member for the initial term, and future
33 appointments must alternate between a member appointed by the
34 Florida League of Cities and a member appointed by the Florida
35 Association of Counties.
- 36 9. Two members appointed by or through the State Surgeon
37 General. One shall be a staff member from the department who has
38 experience coordinating state and local efforts to abate the
39 opioid epidemic, and one shall be a licensed physician who is



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- 40 board certified in both addiction medicine and psychiatry.
41 10. One member appointed by the Florida Association of
42 Recovery Residences.
43 11. One member appointed by the Florida Association of EMS
44 Medical Directors.
45 12. One member appointed by the Florida Society of
46 Addiction Medicine who is a medical doctor board certified in
47 addiction medicine.
48 13. One member appointed by the Florida Behavioral Health
49 Association.
50 14. One member appointed by Floridians for Recovery.
51 15. One member appointed by the Florida Certification
52 Board.
53 16. One member appointed by the Florida Association of
54 Managing Entities.

55 Section 4. Present paragraphs (c), (d), and (e) of
56 subsection (8) of section 397.487, Florida Statutes, are
57 redesignated as paragraphs (d), (e), and (f), respectively, a
58 new paragraph (c) is added to that subsection, subsections (13)
59 and (14) are added to that section, and paragraph (b) and
60 present paragraphs (c), (d), and (e) of subsection (8) of that
61 section are amended, to read:

62 397.487 Voluntary certification of recovery residences.—

63 (8) Onsite followup monitoring of a certified recovery
64 residence may be conducted by the credentialing entity to
65 determine continuing compliance with certification requirements.
66 The credentialing entity shall inspect each certified recovery
67 residence at least annually to ensure compliance.

68 (b) A certified recovery residence must notify the



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69 credentialing entity within 3 business days after the removal of
70 the recovery residence's certified recovery residence
71 administrator due to termination, resignation, or any other
72 reason. The certified recovery residence has 90 ~~30~~ days to
73 retain a certified recovery residence administrator. The
74 credentialing entity shall revoke the certificate of compliance
75 of any certified recovery residence that fails to comply with
76 this paragraph.

77 (c) If a certified recovery residence's administrator has
78 been removed due to termination, resignation, or any other
79 reason and had been previously approved to actively manage more
80 than 50 residents pursuant to s. 397.4871(8)(b), the certified
81 recovery residence has 90 days to retain another certified
82 recovery residence administrator pursuant to that section. The
83 credentialing entity shall revoke the certificate of compliance
84 of any certified recovery residence that fails to comply with
85 this paragraph.

86 (d) ~~(e)~~ If any owner, director, or chief financial officer
87 of a certified recovery residence is arrested and awaiting
88 disposition for or found guilty of, or enters a plea of guilty
89 or nolo contendere to, regardless of whether adjudication is
90 withheld, any offense listed in s. 435.04(2) while acting in
91 that capacity, the certified recovery residence must ~~shall~~
92 immediately remove the person from that position and ~~shall~~
93 notify the credentialing entity within 3 business days after
94 such removal. The credentialing entity may ~~shall~~ revoke the
95 certificate of compliance of a certified recovery residence that
96 fails to meet these requirements.

97 (e) ~~(d)~~ A credentialing entity shall revoke a certified



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98 recovery residence's certificate of compliance if the certified
99 recovery residence provides false or misleading information to
100 the credentialing entity at any time.

101 (f)~~(e)~~ Any decision by a department-recognized
102 credentialing entity to deny, revoke, or suspend a
103 certification, or otherwise impose sanctions on a certified
104 recovery residence, is reviewable by the department. Upon
105 receiving an adverse determination, the certified recovery
106 residence may request an administrative hearing pursuant to ss.
107 120.569 and 120.57(1) within 30 days after completing any
108 appeals process offered by the credentialing entity or the
109 department, as applicable.

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

116 (14) A local law, ordinance, or regulation may not regulate
117 the duration or frequency of a resident's stay in a certified
118 recovery residence located within a multifamily zoning district.
119 This subsection does not apply to any local law, ordinance, or
120 regulation adopted on or before February 1, 2025.

121 Section 5. Paragraphs (b) and (c) of subsection (6) of
122 section 397.4871, Florida Statutes, are amended, and paragraph
123 (c) is added to subsection (8) of that section, to read:

124 397.4871 Recovery residence administrator certification.—

125 (6) The credentialing entity shall issue a certificate of
126 compliance upon approval of a person's application. The



127 certification shall automatically terminate 1 year after
128 issuance if not renewed.

129 (b) If a certified recovery residence administrator of a
130 recovery residence is arrested and awaiting disposition for or
131 found guilty of, or enters a plea of guilty or nolo contendere
132 to, regardless of whether adjudication is withheld, any offense
133 listed in s. 435.04(2) while acting in that capacity, the
134 certified recovery residence must ~~shall~~ immediately remove the
135 person from that position and ~~shall~~ notify the credentialing
136 entity within 3 business days after such removal. The certified
137 recovery residence shall ~~have 30 days to~~ retain a certified
138 recovery residence administrator within 90 days after such
139 removal. The credentialing entity shall revoke the certificate
140 of compliance of any recovery residence that fails to meet these
141 requirements.

142 (c) A credentialing entity shall revoke a certified
143 recovery residence administrator's certificate of compliance if
144 the recovery residence administrator provides false or
145 misleading information to the credentialing entity at any time.

146 (8)

147 (c) Notwithstanding paragraph (b), a Level IV certified
148 recovery residence operating as community housing as defined in
149 s. 397.311(9), which

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

152 And the title is amended as follows:

153 Delete lines 8 - 14

154 and insert:

155 "community housing"; amending s. 397.335,