

1 A bill to be entitled
2 An act relating to recovery residences; amending s.
3 397.403, F.S.; revising requirements for applicants
4 for certified recovery residence licenses; amending s.
5 397.407, F.S.; providing that interim licenses may be
6 issued by the Department of Children and Families to a
7 new owner of a recovery residence; revising the
8 definition of the term "transfer"; requiring the
9 department to issue an interim license within a
10 specified timeframe; providing that the department has
11 a specified timeframe after receiving an application
12 to review it for completeness; prohibiting the
13 department from issuing an interim license when doing
14 so would place the health, safety, or welfare of
15 individuals at risk; prohibiting the expiration of an
16 interim license; requiring that an interim license be
17 converted to a regular license with a specified
18 timeframe; authorizing the department to issue a
19 probationary license to an existing licensed service
20 provider if the department makes specified findings;
21 providing applicability; providing that a probationary
22 license, rather than an interim license, expires 90
23 days after it is issued; amending s. 397.415, F.S.;
24 revising conditions under which the department may
25 deny, suspend, or revoke the license of a service

26 provider or the operation of any service component or
27 location identified on the license; amending s.
28 397.487, F.S.; requiring that Level IV certified
29 recovery residence providers undergo a recertification
30 audit at a certain interval, subject to annual due
31 payments being made; providing that only the
32 department may suspend or revoke a Level IV certified
33 recovery residence provider's license; deleting a
34 requirement that a certified recovery residence must
35 immediately remove a person who is arrested for or
36 convicted of a certain criminal offense; providing
37 that a recovery residence is deemed a nontransient
38 residential use of land for a specified purpose;
39 prohibiting a local law, ordinance, or regulation from
40 prohibiting or regulating a recovery residence in a
41 multifamily structure; requiring a county or a
42 municipality to allow certain certified recovery
43 residences in specific zoned districts, without the
44 need to obtain changes in certain zoning or land use;
45 providing that certified recovery residences in
46 multifamily structures are administratively approved
47 and no further action by the governing body of the
48 municipality or county is required under certain
49 circumstances; authorizing a municipality or a county
50 to deny the establishment of a certified Level IV

51 recovery residence if the proposed use is adjacent to,
52 or on two or more sides of, a parcel zoned for a
53 specified use and within a certain single-family
54 residential development; defining the term "adjacent
55 to"; requiring that a municipality or a county reduce
56 any local parking requirements for a proposed
57 certified recovery residence by a specified percentage
58 under certain circumstances; providing applicability;
59 providing that certified recovery residences that
60 provide housing to patients must maintain such
61 patients' confidential records; amending s. 397.4871,
62 F.S.; providing that the personnel-to-resident ratio
63 for a certified recovery residence must be met only
64 when the residents are at the residence; providing
65 that a certified recovery residence administrator for
66 Level IV certified recovery residences which maintains
67 a specified personnel-to-patient ratio has no
68 limitation on the number of residents it may manage;
69 amending s. 397.501, F.S.; prohibiting an agency or a
70 division from transmitting certain records to any
71 other agency, division, or third party; providing an
72 exception; revising liability for licensed service
73 providers; amending s. 509.032, F.S.; providing
74 construction; creating the Substance Abuse and
75 Recovery Residence Efficiency Committee within the

76 Department of Children and Families; requiring the
77 department to provide the committee with
78 administrative and staff support services; providing
79 the purpose of the committee; providing the membership
80 of the committee; requiring that appointments to the
81 committee be made by a specified date; providing that
82 each member serves at the pleasure of the person or
83 body that appointed the member; requiring the
84 committee to select a chair; requiring the committee
85 to convene by a specified date and to meet monthly or
86 upon the call of the chair; providing the duties of
87 the committee; requiring the committee to submit a
88 report to the Governor and the Legislature by a
89 specified date; providing for future legislative
90 review and repeal; reenacting s. 397.4104(2), F.S.,
91 relating to record of recovery residences used by
92 service providers, to incorporate the amendment made
93 to s. 397.415, F.S., in a reference thereto;
94 reenacting s. 397.4873(1) and (7), F.S., relating to
95 referrals to or from recovery residences,
96 prohibitions, and penalties, to incorporate the
97 amendments made to ss. 397.415, 397.487, and 397.4871,
98 F.S., in references thereto; reenacting ss.
99 397.47891(12)(c), 394.47892(8)(c), 395.3025(3),
100 397.334(10)(c), 397.752, and 400.494(1), F.S.,

101 relating to veterans treatment court programs; mental
 102 health court programs; patient and personnel records,
 103 copies, examination; treatment-based drug court
 104 programs; scope of part; and information about
 105 patients confidential, respectively, to incorporate
 106 the amendment made to s. 397.501, F.S., in references
 107 thereto; providing an effective date.
 108

109 Be It Enacted by the Legislature of the State of Florida:
 110

111 **Section 1. Paragraph (f) of subsection (1) of section**
 112 **397.403, Florida Statutes, is amended to read:**

113 397.403 License application.—

114 (1) Applicants for a license under this chapter must apply
 115 to the department on forms provided by the department and in
 116 accordance with rules adopted by the department. Applications
 117 must include at a minimum:

118 (f) Proof of satisfactory fire, safety, and health
 119 inspections, ~~and compliance with local zoning ordinances.~~
 120 ~~Service providers operating under a regular annual license shall~~
 121 ~~have 18 months from the expiration date of their regular license~~
 122 ~~within which to meet local zoning requirements. Applicants for a~~
 123 ~~new license must demonstrate proof of compliance with zoning~~
 124 ~~requirements prior to the department issuing a probationary~~
 125 ~~license.~~

126 **Section 2. Subsections (6), (7), and (9) of section**
 127 **397.407, Florida Statutes, are amended to read:**
 128 397.407 Licensure process; fees.—
 129 (6) The department may issue probationary, regular, and
 130 interim licenses. The department may issue one license for all
 131 service components operated by a service provider and defined
 132 pursuant to s. 397.311(27). The license is valid only for the
 133 specific service components listed for each specific location
 134 identified on the license. The licensed service provider shall
 135 apply for the addition of any service components and obtain
 136 approval before initiating additional services. The licensed
 137 service provider must notify the department and provide any
 138 required documentation at least 30 days before the relocation of
 139 any of its service sites. Provision of service components or
 140 delivery of services at a location not identified on the license
 141 may be considered an unlicensed operation that authorizes the
 142 department to seek an injunction against operation as provided
 143 in s. 397.401, in addition to other sanctions authorized by s.
 144 397.415. Probationary, interim, and regular licenses may be
 145 issued only after all required information has been submitted. A
 146 license may ~~not~~ be transferred to a new owner consistent with
 147 the procedures set forth in s. 408.807. As used in this
 148 subsection, the term "transfer" means: ~~includes, but is not~~
 149 ~~limited to, the transfer of a majority of the ownership interest~~
 150 ~~in the licensed entity or transfer of responsibilities under the~~

151 ~~license to another entity by contractual arrangement.~~

152 (a) An event in which a privately held licensee sells or
153 otherwise transfers its ownership to a different individual or
154 entity, as evidenced by a change in federal employer
155 identification number or taxpayer identification number; or

156 (b) An event in which 51 percent or more of the ownership,
157 shares, membership, or controlling interest of a licensee is in
158 any manner transferred or otherwise assigned. A change solely in
159 the management company or board of directors is not a change of
160 ownership.

161 (7) Upon receipt of a complete application, payment of
162 applicable fees, and a demonstration of substantial compliance
163 with all applicable statutory and regulatory requirements, the
164 department may issue a probationary license to a new service
165 provider applicant with services that are not yet fully
166 operational. The department shall ~~may not~~ issue an interim
167 license within 30 calendar days after receipt of a complete
168 application from an existing licensed service provider seeking
169 to add services or one or more additional levels of care at an
170 existing licensed location or at a new location. The department
171 has 15 calendar days after receiving an application to review it
172 for completeness. The department may not issue a probationary or
173 an interim license when doing so would place the health, safety,
174 or welfare of individuals at risk. A probationary license
175 expires 90 days after issuance and may not be reissued. An

176 interim license issued pursuant to this part may not expire and
 177 must be converted to a regular license within 80 days after
 178 issuance. During the ~~probationary~~ period of time a licensee is
 179 providing services under a probationary license, the department
 180 shall monitor the delivery of services. Notwithstanding s.
 181 120.60(5), the department may order a probationary licensee to
 182 cease and desist operations at any time it is found to be
 183 substantially out of compliance with licensure standards. This
 184 cease-and-desist order is exempt from the requirements of s.
 185 120.60(6).

186 (9) The department may issue a probationary ~~an interim~~
 187 license to an existing licensed a service provider for a period
 188 established by the department which does not exceed 90 days if
 189 the department finds that:

190 (a) A service component of the provider is in substantial
 191 noncompliance with licensure standards;

192 (b) The service provider has failed to provide
 193 satisfactory proof of conformance to fire, safety, or health
 194 requirements; or

195 (c) The service provider is involved in license suspension
 196 or revocation proceedings.

197
 198 A probationary ~~An interim~~ license applies only to the licensable
 199 service component of the provider's services which is in
 200 substantial noncompliance with statutory or regulatory

201 requirements. A probationary ~~An interim~~ license expires 90 days
202 after it is issued; however, it may be reissued once for an
203 additional 90-day period in a case of extreme hardship in which
204 the noncompliance is not attributable to the licensed service
205 provider. If the service provider is appealing the final
206 disposition of license suspension or revocation proceedings, the
207 court before which the appeal is taken may order the extension
208 of the probationary ~~interim~~ license for a period specified in
209 the order.

210 **Section 3. Paragraph (d) of subsection (1) of section**
211 **397.415, Florida Statutes, is amended to read:**

212 397.415 Denial, suspension, and revocation; other
213 remedies.—

214 (1) If the department determines that an applicant or
215 licensed service provider or licensed service component thereof
216 is not in compliance with all statutory and regulatory
217 requirements, the department may deny, suspend, revoke, or
218 impose reasonable restrictions or penalties on the license or
219 any portion of the license. In such case:

220 (d) The department may deny, suspend, or revoke the
221 license of a service provider or may suspend or revoke the
222 license as to the operation of any service component or location
223 identified on the license for:

224 1. False representation of a material fact in the license
225 application or omission of any material fact from the

226 application.

227 2. An intentional or negligent act materially affecting
 228 the health or safety of an individual receiving services from
 229 the provider.

230 3. A violation of this chapter or applicable rules.

231 4. A demonstrated pattern of deficient performance.

232 5. Failure to timely notify the department of ~~immediately~~
 233 ~~remove~~ service provider personnel subject to background
 234 screening pursuant to s. 397.4073 who no longer meet the Level 2
 235 screening standards set forth in s. 435.04 ~~are arrested or found~~
 236 ~~guilty of, regardless of adjudication, or have entered a plea of~~
 237 ~~nolo contendere or guilty to any offense prohibited under the~~
 238 ~~screening standard and notify the department~~ within 2 days after
 239 an event or circumstance that causes such personnel to fail to
 240 meet such standards ~~such removal~~, excluding weekends and
 241 holidays.

242 **Section 4. Subsection (7) and paragraphs (a) and (d) of**
 243 **subsection (8) of section 397.487, Florida Statutes, are**
 244 **amended, and subsections (15) and (16) are added to that**
 245 **section, to read:**

246 397.487 Voluntary certification of recovery residences.—

247 (7) A credentialing entity shall issue a certificate of
 248 compliance upon approval of the recovery residence's application
 249 and inspection. The certification shall automatically terminate
 250 1 year after issuance if not renewed. A Level IV certified

251 recovery residence provider must undergo a recertification audit
252 once every 3 years, subject to annual dues to the Florida
253 Association of Recovery Residences.

254 (8) Onsite followup monitoring of a certified recovery
255 residence may be conducted by the credentialing entity to
256 determine continuing compliance with certification requirements.
257 The credentialing entity shall inspect each certified recovery
258 residence at least annually to ensure compliance.

259 (a) A credentialing entity may suspend or revoke a
260 certification if the recovery residence is not in compliance
261 with ~~any provision of~~ this section or has failed to remedy any
262 deficiency identified by the credentialing entity within the
263 time period specified, except for a Level IV certified recovery
264 residence provider, for which only the department is authorized
265 to suspend or revoke a certification following the licensure
266 procedures pursuant to chapter 120.

267 (d) If any owner, director, or chief financial officer of
268 a certified recovery residence is arrested and awaiting
269 disposition for or found guilty of, or enters a plea of guilty
270 or nolo contendere to, regardless of whether adjudication is
271 withheld, any offense listed in s. 435.04(2) while acting in
272 that capacity, the certified recovery residence must ~~immediately~~
273 ~~remove the person from that position and~~ notify the
274 credentialing entity within 3 business days after such event or
275 circumstance ~~removal~~. The credentialing entity must revoke the

276 certificate of compliance of a certified recovery residence that
277 fails to meet these requirements.

278 (15) (a) A certified recovery residence is deemed a
279 nontransient residential use of land for purposes of all local
280 zoning ordinances. A local law, ordinance, or regulation may not
281 prohibit certified recovery residences or regulate the duration
282 or frequency of use of a certified recovery residence in a
283 multifamily structure.

284 (b) Notwithstanding any other law or local ordinance or
285 regulation to the contrary, a municipality or county must allow
286 the establishment of a certified recovery residence in all
287 districts zoned multifamily residential as an allowable use and
288 must allow a structure originally constructed and permitted for
289 multifamily purposes to be used as a certified recovery
290 residence, allowing up to two residents per bedroom, without the
291 need to obtain a zoning or a land use change, a special
292 exception, a conditional use approval, a variance, or a
293 comprehensive plan amendment for the zoning and densities
294 authorized under this subsection.

295 (c) All certified recovery residences in multifamily
296 structures are administratively approved and no further action
297 by the governing body of the municipality or county is required
298 if the use satisfies this section.

299 (d) A municipality or a county may deny the establishment
300 of a Level IV certified recovery residence if the proposed use

301 is adjacent to, or on two or more sides of, a parcel zoned for
302 single-family residential use and is within a single-family
303 residential development with at least 25 contiguous single-
304 family homes. For the purposes of this paragraph, the term
305 "adjacent to" means those properties sharing more than one point
306 of a property line, but the term does not include properties
307 separated by a public road.

308 (e) A municipality or a county must reduce any local
309 parking requirements for a proposed certified recovery residence
310 by 50 percent if the property is located within one-quarter mile
311 of a transit stop and the transit stop is accessible from the
312 residence.

313 (f) This section does not apply to any certified recovery
314 residence provider that was not voluntarily certified by the
315 certifying entity in s. 397.487 on or before July 1, 2025.

316 (16) Certified recovery residences that provide housing to
317 patients undergoing treatment must comply with and be subject to
318 s. 397.501(7) regarding confidential information pertaining to
319 such patients.

320 **Section 5. Paragraph (c) of subsection (8) of section**
321 **397.4871, Florida Statutes, is amended to read:**

322 397.4871 Recovery residence administrator certification.—

323 (8)

324 (c) Notwithstanding paragraph (b), a Level IV certified
325 recovery residence operating as community housing as defined in

326 s. 397.311(9), which residence is actively managed by a
327 certified recovery residence administrator approved for 100
328 residents under this section and is wholly owned or controlled
329 by a licensed service provider, may actively manage up to 150
330 residents so long as the licensed service provider maintains a
331 service provider personnel-to-patient ratio of 1 to 8 and
332 maintains onsite supervision at the residence 24 hours a day, 7
333 days a week, during times when residents are at the residence
334 and with a personnel-to-resident ratio of 1 to 10. A certified
335 recovery residence administrator for Level IV certified recovery
336 residences which maintains a personnel-to-resident ratio of 1 to
337 6, pursuant to this section, has no limitation on the number of
338 residents it may manage. A certified recovery residence
339 administrator who has been removed by a certified recovery
340 residence due to termination, resignation, or any other reason
341 may not continue to actively manage more than 50 residents for
342 another service provider or certified recovery residence without
343 being approved by the credentialing entity.

344 **Section 6. Paragraph (a) of subsection (7) and subsection**
345 **(10) of section 397.501, Florida Statutes, are amended to read:**

346 397.501 Rights of individuals.—Individuals receiving
347 substance abuse services from any service provider are
348 guaranteed protection of the rights specified in this section,
349 unless otherwise expressly provided, and service providers must
350 ensure the protection of such rights.

351 (7) RIGHT TO CONFIDENTIALITY OF INDIVIDUAL RECORDS.—

352 (a) The records of service providers which pertain to the
353 identity, diagnosis, and prognosis of and service provision to
354 any individual are confidential in accordance with this chapter
355 and with applicable federal confidentiality regulations and are
356 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
357 Constitution. Such records may not be disclosed without the
358 written consent of the individual to whom they pertain except
359 that appropriate disclosure may be made without such consent:

360 1. To medical personnel in a medical emergency.

361 2. To service provider personnel if such personnel need to
362 know the information in order to carry out duties relating to
363 the provision of services to an individual.

364 3. To the secretary of the department or the secretary's
365 designee, for purposes of scientific research, in accordance
366 with federal confidentiality regulations, but only upon
367 agreement in writing that the individual's name and other
368 identifying information will not be disclosed.

369 4. In the course of review of service provider records by
370 persons who are performing an audit or evaluation on behalf of
371 any federal, state, or local government agency, or third-party
372 payor providing financial assistance or reimbursement to the
373 service provider; however, reports produced as a result of such
374 audit or evaluation may not disclose names or other identifying
375 information and must be in accordance with federal

376 confidentiality regulations. When an agency or a division of the
377 state comes into possession of such records under its regulatory
378 authority, such records may not be transmitted to any other
379 government agency or third party for any purpose except for the
380 purpose of the agency or division collecting such records.

381 5. Upon court order based on application showing good
382 cause for disclosure. In determining whether there is good cause
383 for disclosure, the court shall examine whether the public
384 interest and the need for disclosure outweigh the potential
385 injury to the individual, to the service provider and the
386 individual, and to the service provider itself.

387 (10) LIABILITY AND IMMUNITY.—

388 (a) Licensed service providers or service provider
389 personnel who violate or abuse any right or privilege of an
390 individual under this chapter are liable for damages as
391 determined by law.

392 (b) All persons acting in good faith, reasonably, and
393 without negligence in connection with the preparation or
394 execution of petitions, applications, certificates, or other
395 documents or the apprehension, detention, discharge,
396 examination, transportation, or treatment of a person under the
397 provisions of this chapter shall be free from all liability,
398 civil or criminal, by reason of such acts, except for the
399 illegal use or disclosure of trade secrets as defined in s.
400 812.081 and chapter 688.

401 **Section 7. Paragraph (d) is added to subsection (7) of**
 402 **section 509.032, Florida Statutes, to read:**

403 509.032 Duties.—

404 (7) PREEMPTION AUTHORITY.—

405 (d) This chapter may not be construed to authorize the
 406 department to regulate certified recovery residences pursuant to
 407 ss. 397.311 and 397.487. A recovery residence is deemed a
 408 nontransient residential use of land for purposes of all local
 409 zoning ordinances.

410 **Section 8. Substance Abuse and Recovery Residence**
 411 **Efficiency Committee.**—

412 (1) CREATION.—The Substance Abuse and Recovery Residence
 413 Efficiency Committee, a committee as defined in s. 20.03(5),
 414 Florida Statutes, is created within the Department of Children
 415 and Families. The department shall provide administrative and
 416 staff support services relating to the functions of the
 417 committee.

418 (2) PURPOSE.—The purpose of the committee is to quickly
 419 identify and remedy issues related to the treatment,
 420 reimbursement, certification, and licensure of substance abuse
 421 treatment facilities licensed under chapter 397, Florida
 422 Statutes, and operating in this state.

423 (3) MEMBERSHIP; MEETINGS.—

424 (a) The committee is composed of the following members:

425 1. A member of the Senate, appointed by the President of

426 the Senate.

427 2. A member of the House of Representatives, appointed by
428 the Speaker of the House of Representatives.

429 3. A member appointed by the secretary of the Department
430 of Children and Families.

431 4. A member appointed by the secretary of the Agency for
432 Health Care Administration.

433 5. The deputy secretary of the Agency for Health Care
434 Administration or other member of the agency tasked with
435 oversight of the Division of Medicaid, or his or her designee.

436 6. A member appointed by the Commissioner of Insurance
437 Regulation.

438 7. A representative of a Level IV certified recovery
439 residence, as defined in s. 397.311, Florida Statutes, appointed
440 by the Secretary of the Agency for Health Care Administration.

441 8. The President of the Florida Association of Recovery
442 Residences, upon approval by the association board.

443 (b) Appointments to the committee must be made by August
444 1, 2025. Each member serves at the pleasure of the official or
445 body that appointed the member. A vacancy on the committee must
446 be filled in the same manner as the original appointment.

447 (c) The committee shall select a member as chair at its
448 first meeting.

449 (d) The committee shall convene no later than August 15,
450 2025. The committee shall meet monthly or upon the call of the

451 chair. The committee may hold its meetings through
452 teleconference or other electronic means.

453 (4) DUTIES.—The duties of the committee include all of the
454 following:

455 (a) Analyzing the current regulatory framework to
456 determine areas of inefficiency.

457 (b) Identifying issues that impede the effective treatment
458 of individuals who have a substance use disorder.

459 (c) Assessing the relationship between substance abuse
460 treatment providers and public and private payors.

461 (d) Assessing the comprehensiveness and effectiveness of
462 existing policies and procedures for oversight of licensed
463 substance abuse treatment providers.

464 (e) Evaluating the state's approaches to agency
465 jurisdiction over substance abuse treatment and its
466 reimbursement, and specifically whether it is appropriate for
467 the Department of Children and Families to maintain jurisdiction
468 over substance abuse programs or treatment and recovery
469 residence providers.

470 (f) Determining actions that can be taken under the
471 respective agencies' existing rulemaking authority to alleviate
472 any issues that the committee has identified.

473 (g) Determining legislative action that must be taken to
474 alleviate issues that the committee has identified for which the
475 respective agencies do not have the necessary rulemaking

476 authority.

477 (h) Determining legislative action that would transfer
478 licensure and regulation of substance abuse treatment to the
479 Agency for Health Care Administration.

480 (5) REPORT.—By October 1, 2025, the committee shall submit
481 to the Governor, the President of the Senate, and the Speaker of
482 the House of Representatives a report that compiles the findings
483 and recommendations of the committee.

484 (6) REPEAL.—This section is repealed December 31, 2025,
485 unless reviewed and saved from repeal through reenactment by the
486 Legislature.

487 **Section 9.** For the purpose of incorporating the amendment
488 made by this act to section 397.415, Florida Statutes, in a
489 reference thereto, subsection (2) of section 397.4104, Florida
490 Statutes, is reenacted to read:

491 397.4104 Record of recovery residences used by service
492 providers.—

493 (2) Beginning July 1, 2022, a licensed service provider
494 that violates this section is subject to an administrative fine
495 of \$1,000 per occurrence. The department may suspend or revoke a
496 service provider's license pursuant to s. 397.415 for repeat
497 violations of this section.

498 **Section 10.** For the purpose of incorporating the
499 amendments made by this act to sections 397.415, 397.487, and
500 397.4871, Florida Statutes, in references thereto, subsections

501 (1) and (7) of section 397.4873, Florida Statutes, are reenacted
 502 to read:

503 397.4873 Referrals to or from recovery residences;
 504 prohibitions; penalties.—

505 (1) A service provider licensed under this part may not
 506 make a referral of a prospective, current, or discharged patient
 507 to, or accept a referral of such a patient from, a recovery
 508 residence unless the recovery residence holds a valid
 509 certificate of compliance as provided in s. 397.487 and is
 510 actively managed by a certified recovery residence administrator
 511 as provided in s. 397.4871.

512 (7) A licensed service provider that violates this section
 513 is subject to an administrative fine of \$1,000 per occurrence.
 514 If such fine is imposed by final order of the department and is
 515 not subject to further appeal, the service provider shall pay
 516 the fine plus interest at the rate specified in s. 55.03 for
 517 each day beyond the date set by the department for payment of
 518 the fine. If the service provider does not pay the fine plus any
 519 applicable interest within 60 days after the date set by the
 520 department, the department shall immediately suspend the service
 521 provider's license. Repeat violations of this section may
 522 subject a provider to license suspension or revocation pursuant
 523 to s. 397.415. The department shall establish a mechanism no
 524 later than January 1, 2024, for the imposition and collection of
 525 fines for violations under this section.

526 **Section 11.** For the purpose of incorporating the amendment
527 made by this act to section 397.501, Florida Statutes, in a
528 reference thereto, paragraph (c) of subsection (12) of section
529 394.47891, Florida Statutes, is reenacted to read:

530 394.47891 Veterans treatment court programs.—

531 (12) PUBLIC RECORDS EXEMPTION.—

532 (c) If such confidential and exempt information is a
533 substance abuse record of a service provider that pertains to
534 the identity, diagnosis, or prognosis of or provision of
535 services to a person, such information may be disclosed pursuant
536 to s. 397.501(7).

537 **Section 12.** For the purpose of incorporating the amendment
538 made by this act to section 397.501, Florida Statutes, in a
539 reference thereto, paragraph (c) of subsection (8) of section
540 394.47892, Florida Statutes, is reenacted to read:

541 394.47892 Mental health court programs.—

542 (8)

543 (c) If such confidential and exempt information is a
544 substance abuse record of a service provider that pertains to
545 the identity, diagnosis, and prognosis of or provision of
546 services to a person, such information may be disclosed pursuant
547 to s. 397.501(7).

548 **Section 13.** For the purpose of incorporating the amendment
549 made by this act to section 397.501, Florida Statutes, in a
550 reference thereto, subsection (3) of section 395.3025, Florida

551 Statutes, is reenacted to read:

552 395.3025 Patient and personnel records; copies;
553 examination.—

554 (3) This section does not apply to records of substance
555 abuse impaired persons, which are governed by s. 397.501.

556 **Section 14.** For the purpose of incorporating the amendment
557 made by this act to section 397.501, Florida Statutes, in a
558 reference thereto, paragraph (c) of subsection (10) of section
559 397.334, Florida Statutes, is reenacted to read:

560 397.334 Treatment-based drug court programs.—
561 (10)

562 (c) Records of a service provider which pertain to the
563 identity, diagnosis, and prognosis of or provision of service to
564 any person shall be disclosed pursuant to s. 397.501(7).

565 **Section 15.** For the purpose of incorporating the amendment
566 made by this act to section 397.501, Florida Statutes, in a
567 reference thereto, section 397.752, Florida Statutes, is
568 reenacted to read:

569 397.752 Scope of part.—An inmate's substance abuse service
570 records are confidential in accordance with s. 397.501(7). No
571 other provision of parts I-VII of this chapter applies to
572 inmates except as indicated by the context or specified.

573 **Section 16.** For the purpose of incorporating the amendment
574 made by this act to section 397.501, Florida Statutes, in a
575 reference thereto, subsection (1) of section 400.494, Florida

576 Statutes, is reenacted to read:

577 400.494 Information about patients confidential.—

578 (1) Information about patients received by persons
 579 employed by, or providing services to, a home health agency or
 580 received by the licensing agency through reports or inspection
 581 shall be confidential and exempt from the provisions of s.
 582 119.07(1) and shall only be disclosed to any person, other than
 583 the patient, as permitted under the provisions of 45 C.F.R. ss.
 584 160.102, 160.103, and 164, subpart A, commonly referred to as
 585 the HIPAA Privacy Regulation; except that clinical records
 586 described in ss. 381.004, 384.29, 385.202, 392.65, 394.4615,
 587 395.404, 397.501, and 760.40 shall be disclosed as authorized in
 588 those sections.

589 **Section 17.** This act shall take effect July 1, 2025.