



LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
01/28/2026	.	
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The Committee on Children, Families, and Elder Affairs (Rouson) recommended the following:

1                   **Senate Amendment (with title amendment)**

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3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Subsections (6), (7), and (8) of section  
6 397.407, Florida Statutes, are amended to read:

7                   397.407 Licensure process; fees.—

8                   (6) The department may issue probationary, regular, and  
9 interim licenses. The department may issue one license for all  
10 service components operated by a service provider and defined



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11 pursuant to s. 397.311(27). The license is valid only for the  
12 specific service components listed for each specific location  
13 identified on the license. The licensed service provider must  
14 ~~shall~~ apply for the addition of any service components and  
15 obtain approval before initiating additional services. The  
16 licensed service provider must notify the department and provide  
17 any required documentation at least 30 days before the  
18 relocation of any of its service sites. Provision of service  
19 components or delivery of services at a location not identified  
20 on the license may be considered an unlicensed operation that  
21 authorizes the department to seek an injunction against  
22 operation as provided in s. 397.401, in addition to other  
23 sanctions authorized by s. 397.415. Probationary and regular  
24 licenses may be issued only after all required information has  
25 been submitted. A license may ~~not~~ be transferred. As used in  
26 this subsection, the term "transfer" means:

27       (a) An event in which the licensee sells or otherwise  
28 transfers its ownership to a different individual or entity as  
29 evidenced by a change in federal employer identification number  
30 or taxpayer identification number; or

31       (b) An event in which 51 percent or more of the ownership,  
32 shares, membership, or controlling interest of a licensee is in  
33 any manner transferred or otherwise assigned ~~includes, but is~~  
34 ~~not limited to, the transfer of a majority of the ownership~~  
35 ~~interest in the licensed entity or transfer of responsibilities~~  
36 ~~under the license to another entity by contractual arrangement.~~

37       (7) Upon receipt of a complete application, payment of  
38 applicable fees, and a demonstration of substantial compliance  
39 with all applicable statutory and regulatory requirements, the



40 department may issue a probationary license to a new service  
41 provider applicant with services that are not yet fully  
42 operational. The department may not issue a probationary license  
43 when doing so would place the health, safety, or welfare of  
44 individuals at risk. A probationary license expires 90 days  
45 after issuance and may not be reissued. During the probationary  
46 period the department shall monitor the delivery of services.  
47 Notwithstanding s. 120.60(5), the department may order a  
48 probationary licensee to cease and desist operations at any time  
49 it is found to be substantially out of compliance with licensure  
50 standards. This cease-and-desist order is exempt from the  
51 requirements of s. 120.60(6).

52 (8) (a) A regular license may be issued to:

53 1.(a) A new applicant at the end of the probationary  
54 period.

55 2.(b) A licensed applicant that holds a regular license and  
56 is seeking renewal.

57 3.(c) An applicant for a service component operating under  
58 an interim license upon successful satisfaction of the  
59 requirements for a regular license.

60 (b) In order to be issued a regular license, the applicant  
61 must be in compliance with statutory and regulatory  
62 requirements. An application for renewal of a regular license  
63 must be submitted to the department at least 60 days before the  
64 license expires. The department may deny a renewal application  
65 submitted fewer than 30 days before the license expires.

66 (c) The department shall issue a regular license within 30  
67 calendar days after receipt of a complete application from an  
68 existing licensed service provider that is in compliance with



69 all renewal requirements and that is seeking to add licensed  
70 services or one or more additional levels of care at an existing  
71 licensed location or at one or more new locations when the  
72 application is from a provider with the same federal tax  
73 identification number as the existing provider. No additional  
74 requirements may be imposed upon an existing service provider  
75 seeking to add new levels of care or new locations.

76       Section 2. Paragraph (d) of subsection (1) of section  
77 397.415, Florida Statutes, is amended to read:

78       397.415 Denial, suspension, and revocation; other  
79 remedies.—

80       (1) If the department determines that an applicant or  
81 licensed service provider or licensed service component thereof  
82 is not in compliance with all statutory and regulatory  
83 requirements, the department may deny, suspend, revoke, or  
84 impose reasonable restrictions or penalties on the license or  
85 any portion of the license. In such case:

86       (d) The department may deny, suspend, or revoke the license  
87 of a service provider or may suspend or revoke the license as to  
88 the operation of any service component or location identified on  
89 the license for:

90       1. False representation of a material fact in the license  
91 application or omission of any material fact from the  
92 application.

93       2. An intentional or negligent act materially affecting the  
94 health or safety of an individual receiving services from the  
95 provider.

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

97       4. A demonstrated pattern of deficient performance.



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98        5. Failure to immediately remove service provider personnel  
99 subject to background screening pursuant to s. 397.4073 who no  
100 longer meet the standards of s. 397.4073 ~~are arrested or found~~  
101 ~~guilty of, regardless of adjudication, or have entered a plea of~~  
102 ~~nolo contendere or guilty to any offense prohibited under the~~  
103 ~~screening standard and notify the department within 2 days after~~  
104 ~~such removal, excluding weekends and holidays.~~

105        Section 3. Paragraphs (a) and (d) of subsection (8) of  
106 section 397.487, Florida Statutes, are amended to read:

107        397.487 Voluntary certification of recovery residences.—

108        (8) Onsite followup monitoring of a certified recovery  
109 residence may be conducted by the credentialing entity to  
110 determine continuing compliance with certification requirements.  
111 The credentialing entity shall inspect each certified recovery  
112 residence at least annually to ensure compliance.

113        (a) A credentialing entity may suspend or revoke a  
114 certification if the recovery residence is not in compliance  
115 with ~~any provision of~~ this section or has failed to remedy any  
116 deficiency identified by the credentialing entity within the  
117 time period specified. For purposes of this paragraph, the  
118 credentialing entity may not request or obtain clinical or  
119 medical records of a resident when determining whether to  
120 suspend or revoke a certificate, consistent with the privacy  
121 protections afforded pursuant to s. 397.501(7) and 42 C.F.R.  
122 part 2.

123        (d) If any owner, director, or chief financial officer of a  
124 certified recovery residence no longer meets the standards of s.  
125 397.4073 ~~is arrested and awaiting disposition for or found~~  
126 ~~guilty of, or enters a plea of guilty or nolo contendere to,~~



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127 ~~regardless of whether adjudication is withheld, any offense~~  
128 ~~listed in s. 435.04(2)~~ while acting in that capacity, the  
129 certified recovery residence must immediately remove the person  
130 from that position and notify the credentialing entity within 3  
131 business days after such removal. The credentialing entity must  
132 revoke the certificate of compliance of a certified recovery  
133 residence that fails to meet these requirements.

134       Section 4. For the purpose of incorporating the amendment  
135 made by this act to section 397.415, Florida Statutes, in a  
136 reference thereto, subsection (2) of section 397.4104, Florida  
137 Statutes, is reenacted to read:

138       397.4104 Record of recovery residences used by service  
139 providers.—

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

145       Section 5. For the purpose of incorporating the amendment  
146 made by this act to section 397.415, Florida Statutes, in a  
147 reference thereto, subsection (7) of section 397.4873, Florida  
148 Statutes, is reenacted to read:

149       397.4873 Referrals to or from recovery residences;  
150 prohibitions; penalties.—

151       (7) A licensed service provider that violates this section  
152 is subject to an administrative fine of \$1,000 per occurrence.  
153 If such fine is imposed by final order of the department and is  
154 not subject to further appeal, the service provider shall pay  
155 the fine plus interest at the rate specified in s. 55.03 for



156 each day beyond the date set by the department for payment of  
157 the fine. If the service provider does not pay the fine plus any  
158 applicable interest within 60 days after the date set by the  
159 department, the department shall immediately suspend the service  
160 provider's license. Repeat violations of this section may  
161 subject a provider to license suspension or revocation pursuant  
162 to s. 397.415. The department shall establish a mechanism no  
163 later than January 1, 2024, for the imposition and collection of  
164 fines for violations under this section.

165       Section 6. This act shall take effect July 1, 2026.

166

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

168 And the title is amended as follows:

169       Delete everything before the enacting clause  
170 and insert:

171                   A bill to be entitled  
172                   An act relating to recovery residences; amending s.  
173                   397.407, F.S.; authorizing the transfer of  
174                   probationary and regular licenses; revising the  
175                   definition of the term "transfer"; requiring the  
176                   Department of Children and Families to issue a regular  
177                   license after the department receives a complete  
178                   application from certain existing licensed service  
179                   providers that are seeking to add licensed services or  
180                   one or more additional levels of care at an existing  
181                   licensed location or at one or more new locations  
182                   within a specified timeframe, under certain  
183                   circumstances; prohibiting the imposition of  
184                   additional requirements upon such service providers;



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185 amending s. 397.415, F.S.; revising the criteria that  
186 the department may use to deny, suspend, or revoke the  
187 license of a service provider or suspend or revoke  
188 such license as to the operation of certain service  
189 components or locations; amending s. 397.487, F.S.;  
190 prohibiting a credentialing entity from requesting or  
191 obtaining certain records when determining whether to  
192 suspend or revoke a licensed service provider's  
193 certificate to serve as a recovery residence; revising  
194 the circumstances in which a certified recovery  
195 residence must immediately remove any owner, director,  
196 or chief financial officer of the certified recovery  
197 residence and notify the credentialing entity of such  
198 removal within a specified timeframe; reenacting ss.  
199 397.4104(2) and 397.4873(7), F.S., relating to records  
200 of recovery residences used by service providers and  
201 penalties for licensed recovery residences,  
202 respectively, to incorporate the amendment made to s.  
203 397.415, F.S., in references thereto; providing an  
204 effective date.