



707950

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
01/28/2026	.	
	.	
	.	
	.	

---

The Committee on Children, Families, and Elder Affairs (Rouson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

397.407 Licensure process; fees.—

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



707950

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

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

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

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



707950

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

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

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

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

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

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

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



707950

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

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

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

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

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

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

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

3. A violation of this chapter or applicable rules.

4. A demonstrated pattern of deficient performance.



707950

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

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

397.487 Voluntary certification of recovery residences.—

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

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

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



707950

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

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

397.4104 Record of recovery residences used by service providers.—

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

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

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

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



707950

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

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

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to recovery residences; amending s.  
397.407, F.S.; authorizing the transfer of  
probationary and regular licenses; revising the  
definition of the term "transfer"; requiring the  
Department of Children and Families to issue a regular  
license after the department receives a complete  
application from certain existing licensed service  
providers that are seeking to add licensed services or  
one or more additional levels of care at an existing  
licensed location or at one or more new locations  
within a specified timeframe, under certain  
circumstances; prohibiting the imposition of  
additional requirements upon such service providers;



707950

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