

By the Appropriations Committee on Health and Human Services; the Committee on Children, Families, and Elder Affairs; and Senators Gruters and Rouson

603-02827-26

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13 Be It Enacted by the Legislature of the State of Florida:

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

17 397.407 Licensure process; fees.—

18 (6) (a) The department may issue probationary, regular, and
19 interim licenses. The department may issue one license for all
20 service components operated by a service provider and defined
21 pursuant to s. 397.311(27). The license is valid only for the
22 specific service components listed for each specific location
23 identified on the license. The licensed service provider must
24 shall apply for the addition of any service components and
25 obtain approval before initiating additional services. The
26 licensed service provider must notify the department and provide
27 any required documentation at least 30 days before the
28 relocation of any of its service sites. Provision of service
29 components or delivery of services at a location not identified

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30 on the license may be considered an unlicensed operation that
31 authorizes the department to seek an injunction against
32 operation as provided in s. 397.401, in addition to other
33 sanctions authorized by s. 397.415. Probationary and regular
34 licenses may be issued only after all required information has
35 been submitted. A license may not be transferred. As used in
36 this subsection, the term "transfer" means includes, but is not
37 limited to, the transfer of a majority of the ownership interest
38 in the licensed entity or transfer of responsibilities under the
39 license to another entity by contractual arrangement.

40 (b) If 5 percent or more of the controlling ownership
41 interest of a licensed entity is transferred to another person
42 or entity, the department must require only a level 2 background
43 screening pursuant to s. 397.4073 for officers, directors,
44 managing members, and individuals who exercise operational
45 control over the licensee on behalf of that person or entity.

46 (7) (a) Upon receipt of a complete application, payment of
47 applicable fees, and a demonstration of substantial compliance
48 with all applicable statutory and regulatory requirements, the
49 department may issue a probationary license to a service
50 provider applicant with services that are not yet fully
51 operational. The department may not issue a probationary license
52 when doing so would place the health, safety, or welfare of
53 individuals at risk. A probationary license expires 90 days
54 after issuance and may not be reissued. During the probationary
55 period the department shall monitor the delivery of services.
56 Notwithstanding s. 120.60(5), the department may order a
57 probationary licensee to cease and desist operations at any time
58 it is found to be substantially out of compliance with licensure

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59 standards. This cease-and-desist order is exempt from the
60 requirements of s. 120.60(6).

61 (b) The department may not require an existing licensed
62 service provider that is seeking to add one or more additional
63 levels of care at an existing licensed location, or that is
64 seeking to offer the same level of care at one or more of the
65 service provider's new locations that are currently licensed, to
66 admit individuals for services during the probationary licensing
67 period if the provider has no outstanding violations pursuant to
68 s. 397.411(7) and the department has not taken any action
69 against the provider's existing license pursuant to s. 397.415
70 within the previous 12 months.

71 Section 2. This act shall take effect July 1, 2026.