

By Senator Grall

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30 to designate a user administrator for a specified
31 purpose; authorizing such qualified entities to
32 designate additional authorized users with certain
33 delegated authority; authorizing the clearinghouse,
34 beginning on a specified date, to provide national
35 criminal history record information to qualified
36 entities, rather than only under certain
37 circumstances; amending ss. 44.407 and 501.9741, F.S.;
38 conforming cross-references; reenacting ss. 397.487(6)
39 and (8)(d), 397.4871(5) and (6)(b), 409.913(13),
40 435.03(2), 1012.22(1)(j), 1012.315(1), 1012.797, and
41 1012.799(2), F.S., relating to voluntary certification
42 of recovery residences; recovery residence
43 administrator certification; oversight of the
44 integrity of the Medicaid program; level 1 screening
45 standards; public school personnel and powers and
46 duties of the district school board; screening
47 standards; notification of certain charges against
48 employees; and reporting and self-reporting certain
49 offenses, respectively, to incorporate the amendment
50 made to s. 435.04, F.S., in references thereto;
51 providing an effective date.

52
53 Be It Enacted by the Legislature of the State of Florida:

54
55 Section 1. Subsections (2) and (3) of section 435.04,
56 Florida Statutes, are amended to read:

57 435.04 Level 2 screening standards.—

58 (2) The security background investigations under this

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59 section must ensure that persons subject to this section have
60 not been arrested for and are awaiting final disposition of;
61 have not been found guilty of, regardless of adjudication, or
62 entered a plea of nolo contendere or guilty to; or have not been
63 adjudicated delinquent and the record has not been sealed or
64 expunged for, any offense prohibited under any of the following
65 provisions of state law or similar law of another jurisdiction:

66 (a) Section 39.205, relating to the failure to report child
67 abuse, abandonment, or neglect.

68 (b) Section 316.193(3)(c)3., relating to DUI manslaughter.

69 (c) Section 393.135, relating to sexual misconduct with
70 certain developmentally disabled clients and reporting of such
71 sexual misconduct.

72 (d) ~~(e)~~ Section 394.4593, relating to sexual misconduct with
73 certain mental health patients and reporting of such sexual
74 misconduct.

75 (e) ~~(d)~~ Section 414.39, relating to fraud, if the offense
76 was a felony.

77 (f) ~~(e)~~ Section 415.111, relating to adult abuse, neglect,
78 or exploitation of aged persons or disabled adults.

79 (g) Section 741.28, relating to domestic violence.

80 (h) ~~(f)~~ Section 777.04, relating to attempts, solicitation,
81 and conspiracy to commit an offense listed in this subsection.

82 (i) ~~(g)~~ Section 782.04, relating to murder.

83 (j) ~~(h)~~ Section 782.07, relating to manslaughter, aggravated
84 manslaughter of an elderly person or disabled adult, or
85 aggravated manslaughter of a child.

86 (k) ~~(i)~~ Section 782.071, relating to vehicular homicide.

87 (l) ~~(j)~~ Section 782.09, relating to killing of an unborn

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88 child by injury to the mother.

89 (m)-(k) Chapter 784, relating to assault, battery, and
90 culpable negligence, if the offense was a felony.

91 (n)-(l) Section 784.011, relating to assault, if the victim
92 of the offense was a minor.

93 (o)-(m) Section 784.021, relating to aggravated assault.

94 (p)-(n) Section 784.03, relating to battery, if the victim
95 of the offense was a minor.

96 (q)-(o) Section 784.045, relating to aggravated battery.

97 (r)-(p) Section 784.075, relating to battery on staff of a
98 detention or commitment facility or on a juvenile probation
99 officer.

100 (s)-(q) Section 787.01, relating to kidnapping.

101 (t)-(r) Section 787.02, relating to false imprisonment.

102 (u)-(s) Section 787.025, relating to luring or enticing a
103 child.

104 (v)-(t) Section 787.04(2), relating to taking, enticing, or
105 removing a child beyond the state limits with criminal intent
106 pending custody proceedings.

107 (w)-(u) Section 787.04(3), relating to carrying a child
108 beyond the state lines with criminal intent to avoid producing a
109 child at a custody hearing or delivering the child to the
110 designated person.

111 (x)-(v) Section 787.06, relating to human trafficking.

112 (y)-(w) Section 787.07, relating to human smuggling.

113 (z)-(x) Section 790.115(1), relating to exhibiting firearms
114 or weapons within 1,000 feet of a school.

115 (aa)-(y) Section 790.115(2)(b), relating to possessing an
116 electric weapon or device, destructive device, or other weapon

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117 on school property.

118 (bb) ~~(z)~~ Section 794.011, relating to sexual battery.

119 (cc) ~~(aa)~~ Former s. 794.041, relating to prohibited acts of
120 persons in familial or custodial authority.

121 (dd) ~~(bb)~~ Section 794.05, relating to unlawful sexual
122 activity with certain minors.

123 (ee) ~~(cc)~~ Section 794.08, relating to female genital
124 mutilation.

125 (ff) ~~(dd)~~ Chapter 796, relating to prostitution.

126 (gg) ~~(ee)~~ Section 798.02, relating to lewd and lascivious
127 behavior.

128 (hh) ~~(ff)~~ Chapter 800, relating to lewdness and indecent
129 exposure and offenses against students by authority figures.

130 (ii) ~~(gg)~~ Section 806.01, relating to arson.

131 (jj) ~~(hh)~~ Section 810.02, relating to burglary.

132 (kk) ~~(ii)~~ Section 810.14, relating to voyeurism, if the
133 offense is a felony.

134 (ll) ~~(jj)~~ Section 810.145, relating to digital voyeurism, if
135 the offense is a felony.

136 (mm) ~~(kk)~~ Chapter 812, relating to theft, robbery, and
137 related crimes, if the offense is a felony.

138 (nn) Section 815.04, relating to offenses against
139 intellectual property.

140 (oo) Section 815.06, relating to offenses against users of
141 computers, computer systems, computer networks, and electronic
142 devices.

143 (pp) ~~(ll)~~ Section 817.563, relating to fraudulent sale of
144 controlled substances, only if the offense was a felony.

145 (qq) ~~(mm)~~ Section 825.102, relating to abuse, aggravated

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146 abuse, or neglect of an elderly person or disabled adult.

147 (rr) (nn) Section 825.1025, relating to lewd or lascivious
148 offenses committed upon or in the presence of an elderly person
149 or disabled adult.

150 (ss) (ee) Section 825.103, relating to exploitation of an
151 elderly person or disabled adult, if the offense was a felony.

152 (tt) (pp) Section 826.04, relating to incest.

153 (uu) (qq) Section 827.03, relating to child abuse,
154 aggravated child abuse, or neglect of a child.

155 (vv) (rr) Section 827.04, relating to contributing to the
156 delinquency or dependency of a child.

157 (ww) (ss) Former s. 827.05, relating to negligent treatment
158 of children.

159 (xx) (tt) Section 827.071, relating to sexual performance by
160 a child.

161 (yy) Chapter 828, relating to animal cruelty.

162 (zz) Section 831.29, relating to making or having
163 instruments and material for counterfeiting driver licenses or
164 identification cards.

165 (aaa) (uu) Section 831.311, relating to the unlawful sale,
166 manufacture, alteration, delivery, uttering, or possession of
167 counterfeit-resistant prescription blanks for controlled
168 substances.

169 (bbb) Section 836.05, relating to threats and extortion.

170 (ccc) (vv) Section 836.10, relating to written or electronic
171 threats to kill, do bodily injury, or conduct a mass shooting or
172 an act of terrorism.

173 (ddd) Section 838.015, relating to bribery.

174 (eee) (ww) Section 843.01, relating to resisting arrest with

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175 violence.

176 (fff) ~~(xxx)~~ Section 843.025, relating to depriving a law
177 enforcement, correctional, or correctional probation officer
178 means of protection or communication.179 (ggg) ~~(yy)~~ Section 843.12, relating to aiding in an escape.180 (hhh) ~~(zz)~~ Section 843.13, relating to aiding in the escape
181 of juvenile inmates in correctional institutions.182 (iii) ~~(aaa)~~ Chapter 847, relating to obscene literature.183 (jjj) ~~(bbb)~~ Section 859.01, relating to poisoning food or
184 water.185 (kkk) ~~(eee)~~ Section 873.01, relating to the prohibition on
186 the purchase or sale of human organs and tissue.187 (lll) ~~(ddd)~~ Section 874.05, relating to encouraging or
188 recruiting another to join a criminal gang.189 (mmm) ~~(eee)~~ Chapter 893, relating to drug abuse prevention
190 and control, only if the offense was a felony or if any other
191 person involved in the offense was a minor.192 (nnn) ~~(fff)~~ Section 916.1075, relating to sexual misconduct
193 with certain forensic clients and reporting of such sexual
194 misconduct.195 (ooo) ~~(ggg)~~ Section 944.35(3), relating to inflicting cruel
196 or inhuman treatment on an inmate resulting in great bodily
197 harm.198 (ppp) ~~(hhh)~~ Section 944.40, relating to escape.199 (qqq) ~~(iii)~~ Section 944.46, relating to harboring,
200 concealing, or aiding an escaped prisoner.201 (rrr) ~~(jjj)~~ Section 944.47, relating to introduction of
202 contraband into a correctional facility.203 (sss) Section 951.22, relating to contraband articles in

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204 county detention facilities.

205 (ttt)(kkk) Section 985.701, relating to sexual misconduct
206 in juvenile justice programs.

207 (uuu)(lll) Section 985.711, relating to contraband
208 introduced into detention facilities.

209 ~~(3) The security background investigations under this~~
210 ~~section must ensure that no person subject to this section has~~
211 ~~been arrested for and is awaiting final disposition of, been~~
212 ~~found guilty of, regardless of adjudication, or entered a plea~~
213 ~~of nolo contendere or guilty to, any offense that constitutes~~
214 ~~domestic violence as defined in s. 741.28, whether such act was~~
215 ~~committed in this state or in another jurisdiction.~~

216 Section 2. Subsection (1) of section 435.12, Florida
217 Statutes, is amended to read:

218 435.12 Care Provider Background Screening Clearinghouse.—

219 (1) The Agency for Health Care Administration in
220 consultation with the Department of Law Enforcement shall create
221 a secure web-based system, which shall be known as the "Care
222 Provider Background Screening Clearinghouse" or "clearinghouse."
223 The clearinghouse must allow the results of criminal history
224 checks provided to the specified agencies and, beginning January
225 1, 2026, or a later date as determined by the Agency for Health
226 Care Administration, to qualified entities participating in the
227 clearinghouse for screening of persons qualified as care
228 providers under s. 943.0542 to be shared among the specified
229 agencies and qualified entities when a person has applied to
230 volunteer, be employed, be licensed, enter into a contract, or
231 has an affiliation that allows or requires a state and national
232 fingerprint-based criminal history check. Beginning January 1,

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233 2025, or a later date as determined by the Agency for Health
234 Care Administration, the Agency for Health Care Administration
235 shall review and determine eligibility for all criminal history
236 checks submitted to the clearinghouse for the Department of
237 Education. The clearinghouse shall share eligibility
238 determinations with the Department of Education and the
239 qualified entities. Beginning July 1, 2028, or as soon as
240 practicable thereafter as determined by the Agency for Health
241 Care Administration, the Agency for Health Care Administration
242 shall review and determine eligibility for all criminal history
243 checks submitted to the clearinghouse by specified agencies as
244 defined in s. 435.02. The clearinghouse shall share eligibility
245 determinations with the specified agencies. Each specified
246 agency and qualified entity is responsible for processing
247 exemptions from disqualification pursuant to s. 435.07. The
248 Agency for Health Care Administration and the Department of Law
249 Enforcement may adopt rules to create forms or implement
250 procedures needed to carry out this section.

251 Section 3. The amendments made by this act to s. 435.12(1),
252 Florida Statutes, must be implemented by July 1, 2028, or as
253 soon as practicable thereafter as determined by the Agency for
254 Health Care Administration.

255 Section 4. Paragraph (a) of subsection (1) and paragraphs
256 (a), (b), and (d) of subsection (2) of section 943.0438, Florida
257 Statutes, are amended, and subsection (5) is added to that
258 section, to read:

259 943.0438 Athletic coaches for independent sanctioning
260 authorities.—

261 (1) As used in this section, the term:

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262 (a) "Athletic coach" means a person who:

263 1. Is authorized by an independent sanctioning authority to
264 work as a coach, an assistant coach, a manager, or a referee,
265 whether for compensation or as a volunteer, for a youth athletic
266 team based in this state; and

267 2. Has direct contact with one or more minors on the youth
268 athletic team.

269 (2) An independent sanctioning authority shall:

270 (a) Effective July 1, 2026:~~r~~

271 1. Conduct a level 2 background screening under s. 435.04
272 of each current and prospective athletic coach. The authority
273 may not delegate this responsibility to an individual team and
274 may not authorize any person to act as an athletic coach unless
275 a level 2 background screening is conducted and does not result
276 in disqualification under subparagraph 3 paragraph (b).

277 2.(b)1. Be considered a Before January 1, 2026, or a later
278 date as determined by the Agency for Health Care Administration
279 for the participation of qualified entity for purposes of
280 participating entities in the Care Provider Background Screening
281 Clearinghouse under s. 435.12, disqualify any person from acting
282 as an athletic coach as provided in s. 435.04. The authority may
283 allow a person disqualified under this subparagraph to act as an
284 athletic coach if it determines that the person meets the
285 requirements for an exemption from disqualification under s.
286 435.07.

287 3.2. On or after January 1, 2026, or a later date as
288 determined by the Agency for Health Care Administration, Not
289 allow a any person to act as an athletic coach if he or she does
290 not pass the background screening qualifications in s. 435.04.

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291 The authority may allow a person disqualified under this
292 subparagraph to act as an athletic coach if the person has
293 successfully completed the exemption from the disqualification
294 process under s. 435.07.

295 (c) ~~(d)~~ Maintain for at least 5 years documentation of:

296 1. The results for each person screened under subparagraph
297 (a)1. paragraph (a); and

298 2. The written notice of disqualification provided to each
299 person under paragraph (b) (e).

300 (5) Notwithstanding paragraph (2) (a), a person who has not
301 undergone background screening pursuant to this section may act
302 as an athletic coach if he or she is under the direct
303 supervision of an athletic coach who meets the background
304 screening requirements of this section.

305 Section 5. Paragraph (a) of subsection (2) and subsection
306 (4) of section 943.0542, Florida Statutes, are amended, and
307 subsection (5) of that section is reenacted, to read:

308 943.0542 Access to criminal history information provided by
309 the department to qualified entities.—

310 (2) (a) A qualified entity conducting background criminal
311 history checks under this section must:

312 1. Register with the department before submitting a request
313 for screening under this section. Each such request must be
314 voluntary and conform to the requirements established in the
315 National Child Protection Act of 1993, as amended. As a part of
316 the registration, the qualified entity must agree to comply with
317 state and federal law and must so indicate by signing an
318 agreement approved by the department. The qualified entity shall
319 designate a user administrator to act as the primary point of

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320 contact and to manage compliance with state and federal laws
321 regarding the security and privacy of criminal history
322 information. The qualified entity may designate additional
323 authorized users with delegated authority to manage or access
324 the system for the purpose of requesting and reviewing
325 background screening information pursuant to this section. The
326 department shall periodically audit qualified entities to ensure
327 compliance with federal law and this section.

328 2. Before January 1, 2026, or a later date as determined by
329 the Agency for Health Care Administration, submit to the
330 department, and effective January 1, 2026, or a later date as
331 determined by the Agency for Health Care Administration, submit
332 to the agency a request for screening an employee or volunteer
333 or person applying to be an employee or volunteer by submitting
334 fingerprints, or the request may be submitted electronically.
335 The qualified entity must maintain a signed waiver allowing the
336 release of the state and national criminal history record
337 information to the qualified entity.

338 (4) The national criminal history data is available to
339 qualified entities to use only for the purpose of screening
340 employees and volunteers or persons applying to be an employee
341 or volunteer with a qualified entity. Through December 31, 2026,
342 or a later date as determined by the Agency for Health Care
343 Administration, the department shall provide this national
344 criminal history record information directly to the qualified
345 entity as authorized by the written waiver required for
346 submission of a request. Effective January 1, 2026, or a later
347 date as determined by the Agency for Health Care Administration,
348 the Care Provider Background Screening Clearinghouse may provide

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349 such record information to the qualified entity ~~only if the~~
350 ~~person requests an exemption from the qualified entity under s.~~
351 ~~435.07.~~

352 (5) The entity making the determination regarding screening
353 shall apply the criteria under s. 435.04(2) to the state and
354 national criminal history record information received from the
355 department for those persons subject to screening. The
356 determination whether the criminal history record shows that the
357 employee or volunteer has not been arrested for and is awaiting
358 final disposition of, regardless of adjudication, or entered a
359 plea of nolo contendere or guilty to, or has been adjudicated
360 delinquent and the record has not been sealed or expunged for,
361 any offense listed under s. 435.02(2) shall be made by the
362 qualified entity through December 31, 2025, or a later date as
363 determined by the Agency for Health Care Administration.
364 Beginning January 1, 2026, or a later date as determined by the
365 Agency for Health Care Administration, the Agency for Health
366 Care Administration shall determine the eligibility of the
367 employee or volunteer of a qualified entity. This section does
368 not require the department to make such a determination on
369 behalf of any qualified entity.

370 Section 6. Paragraph (a) of subsection (5) of section
371 44.407, Florida Statutes, is amended to read:

372 44.407 Elder-focused dispute resolution process.—

373 (5) QUALIFICATIONS FOR ELDERCARING COORDINATORS.—

374 (a) The court shall appoint qualified eldercaring
375 coordinators who:

376 1. Meet one of the following professional requirements:

377 a. Are licensed as a mental health professional under

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378 chapter 491 and hold at least a master's degree in the
379 professional field of practice;

380 b. Are licensed as a psychologist under chapter 490;

381 c. Are licensed as a physician under chapter 458 or chapter
382 459;

383 d. Are licensed as a nurse under chapter 464 and hold at
384 least a master's degree;

385 e. Are certified by the Florida Supreme Court as a family
386 mediator and hold at least a master's degree;

387 f. Are a member in good standing of The Florida Bar; or

388 g. Are a professional guardian as defined in s. 744.102(17)
389 and hold at least a master's degree.

390 2. Have completed all of the following:

391 a. Three years of postlicensure or postcertification
392 practice;

393 b. A family mediation training program certified by the
394 Florida Supreme Court; and

395 c. An eldercaring coordinator training program certified by
396 the Florida Supreme Court. The training must total at least 44
397 hours and must include advanced tactics for dispute resolution
398 of issues related to aging, illness, incapacity, or other
399 vulnerabilities associated with elders, as well as elder,
400 guardianship, and incapacity law and procedures and less
401 restrictive alternatives to guardianship; phases of eldercaring
402 coordination and the role and functions of an eldercaring
403 coordinator; the elder's role within eldercaring coordination;
404 family dynamics related to eldercaring coordination; eldercaring
405 coordination skills and techniques; multicultural competence and
406 its use in eldercaring coordination; at least 6 hours of the

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407 implications of elder abuse, neglect, and exploitation and other
408 safety issues pertinent to the training; at least 4 hours of
409 ethical considerations pertaining to the training; use of
410 technology within eldercaring coordination; and court-specific
411 eldercaring coordination procedures. Pending certification of a
412 training program by the Florida Supreme Court, the eldercaring
413 coordinator must document completion of training that satisfies
414 the hours and the elements prescribed in this sub-subparagraph.

415 3. Have successfully passed a level 2 background screening
416 as provided in s. 435.04(2) ~~and (3)~~ or are exempt from
417 disqualification under s. 435.07. The prospective eldercaring
418 coordinator must submit a full set of fingerprints to the court
419 or to a vendor, entity, or agency authorized by s. 943.053(13).
420 The court, vendor, entity, or agency shall forward the
421 fingerprints to the Department of Law Enforcement for state
422 processing, and the Department of Law Enforcement shall forward
423 the fingerprints to the Federal Bureau of Investigation for
424 national processing. The prospective eldercaring coordinator
425 shall pay the fees for state and federal fingerprint processing.
426 The state cost for fingerprint processing shall be as provided
427 in s. 943.053(3)(e) for records provided to persons or entities
428 other than those specified as exceptions therein.

429 4. Have not been a respondent in a final order granting an
430 injunction for protection against domestic, dating, sexual, or
431 repeat violence or stalking or exploitation of an elder or a
432 disabled person.

433 5. Have met any additional qualifications the court may
434 require to address issues specific to the parties.

435 Section 7. Subsection (5) of section 501.9741, Florida

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436 Statutes, is amended to read:

437 501.9741 Assisting in veterans' benefits matters.—

438 (5) BACKGROUND SCREENING.—A provider must ensure that all
439 individuals who directly assist a veteran in a veterans'
440 benefits matter complete a level 2 background screening that
441 screens for any offenses identified in s. 408.809(4) or s.
442 435.04(2)(e), (f), or (ss) or (3) ~~s. 435.04(2)(d), (e), or (ee)~~
443 ~~or (4)~~ before entering into any agreement with a veteran for
444 veterans' benefits matters. An individual must submit a full set
445 of fingerprints to the Department of Law Enforcement or to a
446 vendor, entity, or agency authorized by s. 943.053(13), which
447 shall forward the fingerprints to the Department of Law
448 Enforcement for state processing. The Department of Veterans'
449 Affairs shall transmit the background screening results to the
450 provider, which results must indicate whether an individual's
451 background screening contains any of the offenses listed in this
452 subsection. Fees for state and federal fingerprint processing
453 must be borne by the provider or individual. The state cost for
454 fingerprint processing is as provided in s. 943.053(3)(e). This
455 subsection does not imply endorsement, certification, or
456 regulation of providers by the Department of Veterans' Affairs.

457 Section 8. For the purpose of incorporating the amendment
458 made by this act to section 435.04, Florida Statutes, in
459 references thereto, subsection (6) and paragraph (d) of
460 subsection (8) of section 397.487, Florida Statutes, are
461 reenacted to read:

462 397.487 Voluntary certification of recovery residences.—

463 (6) All owners, directors, and chief financial officers of
464 an applicant recovery residence are subject to level 2

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465 background screening as provided under s. 408.809 and chapter
466 435. A recovery residence is ineligible for certification, and a
467 credentialing entity shall deny a recovery residence's
468 application, if any owner, director, or chief financial officer
469 has been found guilty of, or has entered a plea of guilty or
470 nolo contendere to, regardless of adjudication, any offense
471 listed in s. 408.809(4) or s. 435.04(2) unless the department
472 has issued an exemption under s. 435.07. Exemptions from
473 disqualification applicable to service provider personnel
474 pursuant to s. 397.4073 or s. 435.07 shall apply to this
475 subsection. In accordance with s. 435.04, the department shall
476 notify the credentialing agency of an owner's, director's, or
477 chief financial officer's eligibility based on the results of
478 his or her background screening.

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

484 (d) If any owner, director, or chief financial officer of a
485 certified recovery residence is arrested and awaiting
486 disposition for or found guilty of, or enters a plea of guilty
487 or nolo contendere to, regardless of whether adjudication is
488 withheld, any offense listed in s. 435.04(2) while acting in
489 that capacity, the certified recovery residence must immediately
490 remove the person from that position and notify the
491 credentialing entity within 3 business days after such removal.
492 The credentialing entity must revoke the certificate of
493 compliance of a certified recovery residence that fails to meet

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494 these requirements.

495 Section 9. For the purpose of incorporating the amendment
496 made by this act to section 435.04, Florida Statutes, in
497 references thereto, subsection (5) and paragraph (b) of
498 subsection (6) of section 397.4871, Florida Statutes, are
499 reenacted to read:

500 397.4871 Recovery residence administrator certification.—

501 (5) All applicants are subject to level 2 background
502 screening as provided under chapter 435. An applicant is
503 ineligible, and a credentialing entity shall deny the
504 application, if the applicant has been found guilty of, or has
505 entered a plea of guilty or nolo contendere to, regardless of
506 adjudication, any offense listed in s. 408.809 or s. 435.04(2)
507 unless the department has issued an exemption under s. 435.07.
508 Exemptions from disqualification applicable to service provider
509 personnel pursuant to s. 397.4073 or s. 435.07 shall apply to
510 this subsection. In accordance with s. 435.04, the department
511 shall notify the credentialing agency of the applicant's
512 eligibility based on the results of his or her background
513 screening.

514 (6) The credentialing entity shall issue a certificate of
515 compliance upon approval of a person's application. The
516 certification shall automatically terminate 1 year after
517 issuance if not renewed.

518 (b) If a certified recovery residence administrator of a
519 recovery residence is arrested and awaiting disposition for or
520 found guilty of, or enters a plea of guilty or nolo contendere
521 to, regardless of whether adjudication is withheld, any offense
522 listed in s. 435.04(2) while acting in that capacity, the

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523 certified recovery residence must immediately remove the person
524 from that position and notify the credentialing entity within 3
525 business days after such removal. The certified recovery
526 residence shall retain a certified recovery residence
527 administrator within 90 days after such removal. The
528 credentialing entity must revoke the certificate of compliance
529 of any recovery residence that fails to meet these requirements.

530 Section 10. For the purpose of incorporating the amendment
531 made by this act to section 435.04, Florida Statutes, in a
532 reference thereto, subsection (13) of section 409.913, Florida
533 Statutes, is reenacted to read:

534 409.913 Oversight of the integrity of the Medicaid
535 program.—The agency shall operate a program to oversee the
536 activities of Florida Medicaid recipients, and providers and
537 their representatives, to ensure that fraudulent and abusive
538 behavior and neglect of recipients occur to the minimum extent
539 possible, and to recover overpayments and impose sanctions as
540 appropriate. Each January 15, the agency and the Medicaid Fraud
541 Control Unit of the Department of Legal Affairs shall submit a
542 report to the Legislature documenting the effectiveness of the
543 state's efforts to control Medicaid fraud and abuse and to
544 recover Medicaid overpayments during the previous fiscal year.
545 The report must describe the number of cases opened and
546 investigated each year; the sources of the cases opened; the
547 disposition of the cases closed each year; the amount of
548 overpayments alleged in preliminary and final audit letters; the
549 number and amount of fines or penalties imposed; any reductions
550 in overpayment amounts negotiated in settlement agreements or by
551 other means; the amount of final agency determinations of

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552 overpayments; the amount deducted from federal claiming as a
553 result of overpayments; the amount of overpayments recovered
554 each year; the amount of cost of investigation recovered each
555 year; the average length of time to collect from the time the
556 case was opened until the overpayment is paid in full; the
557 amount determined as uncollectible and the portion of the
558 uncollectible amount subsequently reclaimed from the Federal
559 Government; the number of providers, by type, that are
560 terminated from participation in the Medicaid program as a
561 result of fraud and abuse; and all costs associated with
562 discovering and prosecuting cases of Medicaid overpayments and
563 making recoveries in such cases. The report must also document
564 actions taken to prevent overpayments and the number of
565 providers prevented from enrolling in or reenrolling in the
566 Medicaid program as a result of documented Medicaid fraud and
567 abuse and must include policy recommendations necessary to
568 prevent or recover overpayments and changes necessary to prevent
569 and detect Medicaid fraud. All policy recommendations in the
570 report must include a detailed fiscal analysis, including, but
571 not limited to, implementation costs, estimated savings to the
572 Medicaid program, and the return on investment. The agency must
573 submit the policy recommendations and fiscal analyses in the
574 report to the appropriate estimating conference, pursuant to s.
575 216.137, by February 15 of each year. The agency and the
576 Medicaid Fraud Control Unit of the Department of Legal Affairs
577 each must include detailed unit-specific performance standards,
578 benchmarks, and metrics in the report, including projected cost
579 savings to the state Medicaid program during the following
580 fiscal year.

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(13) The agency shall terminate participation of a Medicaid provider in the Medicaid program and may seek civil remedies or impose other administrative sanctions against a Medicaid provider, if the provider or any principal, officer, director, agent, managing employee, or affiliated person of the provider, or any partner or shareholder having an ownership interest in the provider equal to 5 percent or greater, has been convicted of a criminal offense under federal law or the law of any state relating to the practice of the provider's profession, or a criminal offense listed under s. 408.809(4), s. 409.907(10), or s. 435.04(2). If the agency determines that the provider did not participate or acquiesce in the offense, termination will not be imposed. If the agency effects a termination under this subsection, the agency shall take final agency action.

Section 11. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (2) of section 435.03, Florida Statutes, is reenacted to read:

435.03 Level 1 screening standards.—

(2) Any person required by law to be screened pursuant to this section must not have an arrest awaiting final disposition, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under s. 435.04(2) or similar law of another jurisdiction.

Section 12. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, paragraph (j) of subsection (1) of section

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610 1012.22, Florida Statutes, is reenacted to read:

611 1012.22 Public school personnel; powers and duties of the
612 district school board.—The district school board shall:

613 (1) Designate positions to be filled, prescribe
614 qualifications for those positions, and provide for the
615 appointment, compensation, promotion, suspension, and dismissal
616 of employees as follows, subject to the requirements of this
617 chapter:

618 (j) *Temporary removal from the classroom.*—The district
619 school board shall adopt a policy temporarily removing
620 instructional personnel from the classroom within 24 hours after
621 a notification by law enforcement or a self-reporting employee
622 of his or her arrest for a felony offense or for a misdemeanor
623 offense listed in s. 435.04(2).

624 Section 13. For the purpose of incorporating the amendment
625 made by this act to section 435.04, Florida Statutes, in a
626 reference thereto, subsection (1) of section 1012.315, Florida
627 Statutes, is reenacted to read:

628 1012.315 Screening standards.—

629 (1) A person is ineligible for educator certification or
630 employment in any position that requires direct contact with
631 students in a district school system, a charter school, or a
632 private school that participates in a state scholarship program
633 under chapter 1002, which includes being an owner or operator of
634 a private school that participates in a scholarship program
635 under chapter 1002, if the person:

636 (a) Is on the disqualification list maintained by the
637 department under s. 1001.10(4)(b);

638 (b) Is registered as a sex offender as described in 42

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639 U.S.C. s. 9858f(c) (1) (C);
640 (c) Is ineligible based on a security background
641 investigation under s. 435.04(2). The Agency for Health Care
642 Administration shall determine the eligibility of employees in
643 any position that requires direct contact with students in a
644 district school system, a charter school, or a private school
645 that participates in a state scholarship program under chapter
646 1002;

647 (d) Would be ineligible for an exemption under s.
648 435.07(4) (c); or

649 (e) Has been convicted or found guilty of, has had
650 adjudication withheld for, or has pled guilty or nolo contendere
651 to:

652 1. Any criminal act committed in another state or under
653 federal law which, if committed in this state, constitutes a
654 disqualifying offense under s. 435.04(2).

655 2. Any delinquent act committed in this state or any
656 delinquent or criminal act committed in another state or under
657 federal law which, if committed in this state, qualifies an
658 individual for inclusion on the Registered Juvenile Sex Offender
659 List under s. 943.0435(1) (h)1.d.

660 Section 14. For the purpose of incorporating the amendment
661 made by this act to section 435.04, Florida Statutes, in a
662 reference thereto, section 1012.797, Florida Statutes, is
663 reenacted to read:

664 1012.797 Notification of certain charges against
665 employees.—Notwithstanding s. 985.04(7) or any other law to the
666 contrary, a law enforcement agency shall, within 48 hours,
667 notify the appropriate district school superintendent, charter

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668 school governing board, private school owner or administrator,
669 president of the Florida School for the Deaf and the Blind, or
670 university lab schools director or principal, as applicable,
671 when its employee is arrested for a felony or a misdemeanor
672 involving an offense listed in s. 435.04(2), the abuse of a
673 minor child, or the sale or possession of a controlled
674 substance. The notification must include the specific charge for
675 which the employee of the school district was arrested.
676 Notwithstanding ss. 1012.31(3)(a)1. and 1012.796(4), within 24
677 hours after such notification, the school principal or designee
678 shall notify parents of enrolled students who had direct contact
679 with the employee and include, at a minimum, the name and
680 specific charges against the employee.

681 Section 15. For the purpose of incorporating the amendment
682 made by this act to section 435.04, Florida Statutes, in a
683 reference thereto, subsection (2) of section 1012.799, Florida
684 Statutes, is reenacted to read:

685 1012.799 Reporting and self-reporting certain offenses.—

686 (2) Instructional personnel and administrative personnel
687 shall self-report within 48 hours to a school district
688 authority, as determined by the district superintendent, any
689 arrest for a felony offense or for a misdemeanor offense listed
690 in s. 435.04(2). Such self-report is not considered an admission
691 of guilt and is not admissible for any purpose in any
692 proceeding, civil or criminal, administrative or judicial,
693 investigatory or adjudicatory. In addition, instructional
694 personnel and administrative personnel shall self-report any
695 conviction, finding of guilt, withholding of adjudication,
696 commitment to a pretrial diversion program, or entering of a

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697 plea of guilty or nolo contendere for any criminal offense other
698 than a minor traffic violation within 48 hours after the final
699 judgment. When handling sealed and expunged records disclosed
700 under this rule, school districts must comply with the
701 confidentiality provisions of ss. 943.0585(4)(c) and
702 943.059(4)(c).

703 Section 16. This act shall take effect July 1, 2026.