

**By** the Committee on Health Policy; and Senator Grall

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A bill to be entitled  
An act relating to background screenings; amending s. 435.04, F.S.; specifying additional disqualifying offenses under the background screening requirements for certain persons; amending s. 435.12, F.S.; requiring the Agency for Health Care Administration, beginning on a specified date or as soon as practicable thereafter, to review and determine eligibility for all criminal history checks submitted to the Care Provider Background Screening Clearinghouse by specified agencies; requiring the clearinghouse to share eligibility determinations with specified agencies; requiring specified agencies and qualified entities to process exemptions from disqualification pursuant to a specified provision; requiring the implementation of a specified provision of the act by a specified date, or as soon as practicable thereafter as determined by the agency; amending s. 943.0438, F.S.; making a technical change; providing that, beginning on a specified date, an independent sanctioning authority is considered a qualified entity for the purpose of participating in the clearinghouse; authorizing a person who has not undergone certain background screening to act as an athletic coach if he or she is under the direct supervision of an athletic coach who meets certain background screening requirements; reenacting and amending s. 943.0542, F.S.; requiring qualified entities conducting background criminal history checks

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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. 943.0585 and 943.059,  
38 F.S.; prohibiting certain persons from denying or  
39 failing to acknowledge certain criminal history  
40 records that have been expunged or sealed,  
41 respectively; amending ss. 44.407 and 501.9741, F.S.;  
42 conforming cross-references; reenacting ss. 397.487(6)  
43 and (8)(d), 397.4871(5) and (6)(b), 409.913(13),  
44 435.03(2), 1012.22(1)(j), 1012.315(1), 1012.797, and  
45 1012.799(2), F.S., relating to voluntary certification  
46 of recovery residences; recovery residence  
47 administrator certification; oversight of the  
48 integrity of the Medicaid program; level 1 screening  
49 standards; public school personnel and powers and  
50 duties of the district school board; screening  
51 standards; notification of certain charges against  
52 employees; and reporting and self-reporting certain  
53 offenses, respectively, to incorporate the amendment  
54 made to s. 435.04, F.S., in references thereto;  
55 providing an effective date.

56  
57 Be It Enacted by the Legislature of the State of Florida:  
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59       Section 1. Subsections (2) and (3) of section 435.04,  
60 Florida Statutes, are amended to read:

61       435.04 Level 2 screening standards.—

62       (2) The security background investigations under this  
63 section must ensure that persons subject to this section have  
64 not been arrested for and are awaiting final disposition of;  
65 have not been found guilty of, regardless of adjudication, or  
66 entered a plea of nolo contendere or guilty to; or have not been  
67 adjudicated delinquent and the record has not been sealed or  
68 expunged for, any offense prohibited under any of the following  
69 provisions of state law or similar law of another jurisdiction:

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

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

73       (c) Section 393.135, relating to sexual misconduct with  
74 certain developmentally disabled clients and reporting of such  
75 sexual misconduct.

76       (d) (e) Section 394.4593, relating to sexual misconduct with  
77 certain mental health patients and reporting of such sexual  
78 misconduct.

79       (e) (d) Section 414.39, relating to fraud, if the offense  
80 was a felony.

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

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

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

86       (i) (g) Section 782.04, relating to murder.

87       (j) (h) Section 782.07, relating to manslaughter, aggravated

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88 manslaughter of an elderly person or disabled adult, or  
89 aggravated manslaughter of a child.

90 (k)-(i) Section 782.071, relating to vehicular homicide.

91 (l)-(j) Section 782.09, relating to killing of an unborn  
92 child by injury to the mother.

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

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

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

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

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

101 (r)-(p) Section 784.075, relating to battery on staff of a  
102 detention or commitment facility or on a juvenile probation  
103 officer.

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

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

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

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

111 (w)-(u) Section 787.04(3), relating to carrying a child  
112 beyond the state lines with criminal intent to avoid producing a  
113 child at a custody hearing or delivering the child to the  
114 designated person.

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

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

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117       (z)~~(x)~~ Section 790.115(1), relating to exhibiting firearms  
118 or weapons within 1,000 feet of a school.

119       (aa)~~(y)~~ Section 790.115(2)(b), relating to possessing an  
120 electric weapon or device, destructive device, or other weapon  
121 on school property.

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

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

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

127       (ee)~~(cc)~~ Section 794.08, relating to female genital  
128 mutilation.

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

130       (gg)~~(ee)~~ Section 798.02, relating to lewd and lascivious  
131 behavior.

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

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

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

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

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

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

142       (nn) Section 815.04, relating to offenses against  
143 intellectual property.

144       (oo) Section 815.06, relating to offenses against users of  
145 computers, computer systems, computer networks, and electronic

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146 devices.147 (pp)(11) Section 817.563, relating to fraudulent sale of  
148 controlled substances, only if the offense was a felony.149 (qq)(mm) Section 825.102, relating to abuse, aggravated  
150 abuse, or neglect of an elderly person or disabled adult.151 (rr)(nn) Section 825.1025, relating to lewd or lascivious  
152 offenses committed upon or in the presence of an elderly person  
153 or disabled adult.154 (ss)(oo) Section 825.103, relating to exploitation of an  
155 elderly person or disabled adult, if the offense was a felony.156 (tt)(pp) Section 826.04, relating to incest.157 (uu)(qq) Section 827.03, relating to child abuse,  
158 aggravated child abuse, or neglect of a child.159 (vv)(rr) Section 827.04, relating to contributing to the  
160 delinquency or dependency of a child.161 (ww)(ss) Former s. 827.05, relating to negligent treatment  
162 of children.163 (xx)(tt) Section 827.071, relating to sexual performance by  
164 a child.165 (yy) Chapter 828, relating to animal cruelty.166 (zz) Section 831.29, relating to making or having  
167 instruments and material for counterfeiting driver licenses or  
168 identification cards.169 (aaa)(uu) Section 831.311, relating to the unlawful sale,  
170 manufacture, alteration, delivery, uttering, or possession of  
171 counterfeit-resistant prescription blanks for controlled  
172 substances.173 (bbb) Section 836.05, relating to threats and extortion.174 (ccc)(vv) Section 836.10, relating to written or electronic

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175 threats to kill, do bodily injury, or conduct a mass shooting or  
176 an act of terrorism.

177 (ddd) Section 838.015, relating to bribery.

178 (eee) (ww) Section 843.01, relating to resisting arrest with  
179 violence.

180 (fff) (xx) Section 843.025, relating to depriving a law  
181 enforcement, correctional, or correctional probation officer  
182 means of protection or communication.

183 (ggg) (yy) Section 843.12, relating to aiding in an escape.

184 (hhh) (zz) Section 843.13, relating to aiding in the escape  
185 of juvenile inmates in correctional institutions.

186 (iii) (aaa) Chapter 847, relating to obscene literature.

187 (jjj) (bbb) Section 859.01, relating to poisoning food or  
188 water.

189 (kkk) (eee) Section 873.01, relating to the prohibition on  
190 the purchase or sale of human organs and tissue.

191 (lll) (ddd) Section 874.05, relating to encouraging or  
192 recruiting another to join a criminal gang.

193 (mmm) (eee) Chapter 893, relating to drug abuse prevention  
194 and control, only if the offense was a felony or if any other  
195 person involved in the offense was a minor.

196 (nnn) (fff) Section 916.1075, relating to sexual misconduct  
197 with certain forensic clients and reporting of such sexual  
198 misconduct.

199 (ooo) (eee) Section 944.35(3), relating to inflicting cruel  
200 or inhuman treatment on an inmate resulting in great bodily  
201 harm.

202 (ppp) (hhh) Section 944.40, relating to escape.

203 (qqq) (iii) Section 944.46, relating to harboring,

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204 concealing, or aiding an escaped prisoner.

205 (rrr)(jjj) Section 944.47, relating to introduction of  
206 contraband into a correctional facility.

207 (sss) Section 951.22, relating to contraband articles in  
208 county detention facilities.

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

211 (uuu)(lll) Section 985.711, relating to contraband  
212 introduced into detention facilities.

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

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

222 435.12 Care Provider Background Screening Clearinghouse.—

223 (1) The Agency for Health Care Administration in  
224 consultation with the Department of Law Enforcement shall create  
225 a secure web-based system, which shall be known as the "Care  
226 Provider Background Screening Clearinghouse" or "clearinghouse."  
227 The clearinghouse must allow the results of criminal history  
228 checks provided to the specified agencies and, beginning January  
229 1, 2026, or a later date as determined by the Agency for Health  
230 Care Administration, to qualified entities participating in the  
231 clearinghouse for screening of persons qualified as care  
232 providers under s. 943.0542 to be shared among the specified

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233 agencies and qualified entities when a person has applied to  
234 volunteer, be employed, be licensed, enter into a contract, or  
235 has an affiliation that allows or requires a state and national  
236 fingerprint-based criminal history check. Beginning January 1,  
237 2025, or a later date as determined by the Agency for Health  
238 Care Administration, the Agency for Health Care Administration  
239 shall review and determine eligibility for all criminal history  
240 checks submitted to the clearinghouse for the Department of  
241 Education. The clearinghouse shall share eligibility  
242 determinations with the Department of Education and the  
243 qualified entities. Beginning July 1, 2028, or as soon as  
244 practicable thereafter as determined by the Agency for Health  
245 Care Administration, the Agency for Health Care Administration  
246 shall review and determine eligibility for all criminal history  
247 checks submitted to the clearinghouse by specified agencies as  
248 defined in s. 435.02. The clearinghouse shall share eligibility  
249 determinations with the specified agencies. Each specified  
250 agency and qualified entity is responsible for processing  
251 exemptions from disqualification pursuant to s. 435.07. The  
252 Agency for Health Care Administration and the Department of Law  
253 Enforcement may adopt rules to create forms or implement  
254 procedures needed to carry out this section.

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

259 Section 4. Paragraph (a) of subsection (1) and paragraphs  
260 (a), (b), and (d) of subsection (2) of section 943.0438, Florida  
261 Statutes, are amended, and subsection (5) is added to that

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262 section, to read:

263 943.0438 Athletic coaches for independent sanctioning  
264 authorities.—

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

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

267 1. Is authorized by an independent sanctioning authority to  
268 work as a coach, an assistant coach, a manager, or a referee,  
269 whether for compensation or as a volunteer, for a youth athletic  
270 team based in this state; and271 2. Has direct contact with one or more minors on the youth  
272 athletic team.

273 (2) An independent sanctioning authority shall:

274 (a) Effective July 1, 2026:~~r~~275 1. Conduct a level 2 background screening under s. 435.04  
276 of each current and prospective athletic coach. The authority  
277 may not delegate this responsibility to an individual team and  
278 may not authorize any person to act as an athletic coach unless  
279 a level 2 background screening is conducted and does not result  
280 in disqualification under subparagraph 3 paragraph (b).281 2.(b)1. Be considered a Before January 1, 2026, or a later  
282 ~~date as determined by the Agency for Health Care Administration~~  
283 ~~for the participation of qualified entity for purposes of~~  
284 ~~participating entities~~ in the Care Provider Background Screening  
285 Clearinghouse under s. 435.12, disqualify any person from acting  
286 as an athletic coach as provided in s. 435.04. The authority may  
287 allow a person disqualified under this subparagraph to act as an  
288 athletic coach if it determines that the person meets the  
289 requirements for an exemption from disqualification under s.  
290 435.07.

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291       3.2. On or after January 1, 2026, or a later date as  
292       determined by the Agency for Health Care Administration, Not  
293       allow a any person to act as an athletic coach if he or she does  
294       not pass the background screening qualifications in s. 435.04.  
295       The authority may allow a person disqualified under this  
296       subparagraph to act as an athletic coach if the person has  
297       successfully completed the exemption from the disqualification  
298       process under s. 435.07.

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

300       1. The results for each person screened under subparagraph  
301       (a)1. paragraph (a); and  
302       2. The written notice of disqualification provided to each  
303       person under paragraph (b) (e).

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

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

312       943.0542 Access to criminal history information provided by  
313       the department to qualified entities.—

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

316       1. Register with the department before submitting a request  
317       for screening under this section. Each such request must be  
318       voluntary and conform to the requirements established in the  
319       National Child Protection Act of 1993, as amended. As a part of

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320 the registration, the qualified entity must agree to comply with  
321 state and federal law and must so indicate by signing an  
322 agreement approved by the department. The qualified entity shall  
323 designate a user administrator to act as the primary point of  
324 contact and to manage compliance with state and federal laws  
325 regarding the security and privacy of criminal history  
326 information. The qualified entity may designate additional  
327 authorized users with delegated authority to manage or access  
328 the system for the purpose of requesting and reviewing  
329 background screening information pursuant to this section. The  
330 department shall periodically audit qualified entities to ensure  
331 compliance with federal law and this section.

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

342 (4) The national criminal history data is available to  
343 qualified entities to use only for the purpose of screening  
344 employees and volunteers or persons applying to be an employee  
345 or volunteer with a qualified entity. Through December 31, 2026,  
346 or a later date as determined by the Agency for Health Care  
347 Administration, the department shall provide this national  
348 criminal history record information directly to the qualified

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349 entity as authorized by the written waiver required for  
350 submission of a request. Effective January 1, 2026, or a later  
351 date as determined by the Agency for Health Care Administration,  
352 the Care Provider Background Screening Clearinghouse may provide  
353 such record information to the qualified entity ~~only if the~~  
354 ~~person requests an exemption from the qualified entity under s.~~  
355 ~~435.07.~~

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

374 Section 6. Paragraph (b) of subsection (6) of section  
375 943.0585, Florida Statutes, is amended to read:

376 943.0585 Court-ordered expunction of criminal history  
377 records.—

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## 378       (6) EFFECT OF EXPUNCTION ORDER.—

379       (b) The person who is the subject of a criminal history  
380 record that is expunged under this section or under other  
381 provisions of law, including former ss. 893.14, 901.33, and  
382 943.058, may lawfully deny or fail to acknowledge the arrests  
383 covered by the expunged record, except when the subject of the  
384 record:

385       1. Is a candidate for employment with a criminal justice  
386 agency;

387       2. Is a defendant in a criminal prosecution;

388       3. Concurrently or subsequently petitions for relief under  
389 this section, s. 943.0583, or s. 943.059;

390       4. Is a candidate for admission to The Florida Bar;

391       5. Is seeking to be employed or licensed by or to contract  
392 with the Department of Children and Families, the Division of  
393 Vocational Rehabilitation within the Department of Education,  
394 the Agency for Health Care Administration, the Agency for  
395 Persons with Disabilities, the Department of Health, the  
396 Department of Elderly Affairs, or the Department of Juvenile  
397 Justice or to be employed or used by such contractor or licensee  
398 in a sensitive position having direct contact with children, the  
399 disabled, or the elderly;

400       6.a. Is seeking to be employed or licensed by, or contract  
401 with, the Department of Education, any district unit under s.  
402 1001.30, any special district unit under s. 1011.24, the Florida  
403 School for the Deaf and the Blind under s. 1002.36, the Florida  
404 Virtual School under s. 1002.37, any virtual instruction program  
405 under s. 1002.45, any charter school under s. 1002.33, any hope  
406 operator under s. 1002.333, any alternative school under s.

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407 1008.341, any private or parochial school, or any local  
408 governmental entity that licenses child care facilities;  
409 b. Is seeking to be employed or used by a contractor or  
410 licensee under sub-subparagraph a.; or  
411 c. Is a person screened under s. 1012.467;  
412 7. Is seeking to be licensed by the Division of Insurance  
413 Agent and Agency Services within the Department of Financial  
414 Services; or  
415 8. Is seeking to be appointed as a guardian pursuant to s.  
416 744.3125; or  
417 9. Is a person screened through the Care Provider  
418 Background Screening Clearinghouse by a specified agency or  
419 qualified entity pursuant to s. 435.12.

420 Section 7. Paragraph (b) of subsection (6) of section  
421 943.059, Florida Statutes, is amended to read:  
422 943.059 Court-ordered sealing of criminal history records.—  
423 (6) EFFECT OF ORDER.—  
424 (b) The subject of the criminal history record sealed under  
425 this section or under other provisions of law, including former  
426 ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to  
427 acknowledge the arrests covered by the sealed record, except  
428 when the subject of the record:  
429 1. Is a candidate for employment with a criminal justice  
430 agency;  
431 2. Is a defendant in a criminal prosecution;  
432 3. Concurrently or subsequently petitions for relief under  
433 this section, s. 943.0583, or s. 943.0585;  
434 4. Is a candidate for admission to The Florida Bar;  
435 5. Is seeking to be employed or licensed by or to contract

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436 with the Department of Children and Families, the Division of  
437 Vocational Rehabilitation within the Department of Education,  
438 the Agency for Health Care Administration, the Agency for  
439 Persons with Disabilities, the Department of Health, the  
440 Department of Elderly Affairs, or the Department of Juvenile  
441 Justice or to be employed or used by such contractor or licensee  
442 in a sensitive position having direct contact with children, the  
443 disabled, or the elderly;

444 6.a. Is seeking to be employed or licensed by, or contract  
445 with, the Department of Education, a district unit under s.  
446 1001.30, a special district unit under s. 1011.24, the Florida  
447 School for the Deaf and the Blind under s. 1002.36, the Florida  
448 Virtual School under s. 1002.37, a virtual instruction program  
449 under s. 1002.45, a charter school under s. 1002.33, a hope  
450 operator under s. 1002.333, an alternative school under s.  
451 1008.341, a private or parochial school, or a local governmental  
452 entity that licenses child care facilities;

453 b. Is seeking to be employed or used by a contractor or  
454 licensee under sub-subparagraph a.; or

455 c. Is a person screened under s. 1012.467;

456 7. Is attempting to purchase a firearm from a licensed  
457 importer, licensed manufacturer, or licensed dealer and is  
458 subject to a criminal history check under state or federal law;

459 8. Is seeking to be licensed by the Division of Insurance  
460 Agent and Agency Services within the Department of Financial  
461 Services;

462 9. Is seeking to be appointed as a guardian pursuant to s.  
463 744.3125; or

464 10. Is seeking to be licensed by the Bureau of License

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465      Issuance of the Division of Licensing within the Department of  
466      Agriculture and Consumer Services to carry a concealed weapon or  
467      concealed firearm. This subparagraph applies only in the  
468      determination of an applicant's eligibility under s. 790.06; or  
469      11. Is a person screened through the Care Provider  
470      Background Screening Clearinghouse by a specified agency or  
471      qualified entity pursuant to s. 435.12.

472      Section 8. Paragraph (a) of subsection (5) of section  
473      44.407, Florida Statutes, is amended to read:

474      44.407 Elder-focused dispute resolution process.—

475      (5) QUALIFICATIONS FOR ELDERCARING COORDINATORS.—

476      (a) The court shall appoint qualified eldercaring  
477      coordinators who:

478      1. Meet one of the following professional requirements:

479      a. Are licensed as a mental health professional under  
480      chapter 491 and hold at least a master's degree in the  
481      professional field of practice;

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

483      c. Are licensed as a physician under chapter 458 or chapter  
484      459;

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

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

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

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

492      2. Have completed all of the following:

493      a. Three years of postlicensure or postcertification

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494 practice;

495 b. A family mediation training program certified by the  
496 Florida Supreme Court; and497 c. An eldercaring coordinator training program certified by  
498 the Florida Supreme Court. The training must total at least 44  
499 hours and must include advanced tactics for dispute resolution  
500 of issues related to aging, illness, incapacity, or other  
501 vulnerabilities associated with elders, as well as elder,  
502 guardianship, and incapacity law and procedures and less  
503 restrictive alternatives to guardianship; phases of eldercaring  
504 coordination and the role and functions of an eldercaring  
505 coordinator; the elder's role within eldercaring coordination;  
506 family dynamics related to eldercaring coordination; eldercaring  
507 coordination skills and techniques; multicultural competence and  
508 its use in eldercaring coordination; at least 6 hours of the  
509 implications of elder abuse, neglect, and exploitation and other  
510 safety issues pertinent to the training; at least 4 hours of  
511 ethical considerations pertaining to the training; use of  
512 technology within eldercaring coordination; and court-specific  
513 eldercaring coordination procedures. Pending certification of a  
514 training program by the Florida Supreme Court, the eldercaring  
515 coordinator must document completion of training that satisfies  
516 the hours and the elements prescribed in this sub-subparagraph.517 3. Have successfully passed a level 2 background screening  
518 as provided in s. 435.04(2) ~~and (3)~~ or are exempt from  
519 disqualification under s. 435.07. The prospective eldercaring  
520 coordinator must submit a full set of fingerprints to the court  
521 or to a vendor, entity, or agency authorized by s. 943.053(13).  
522 The court, vendor, entity, or agency shall forward the

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523 fingerprints to the Department of Law Enforcement for state  
524 processing, and the Department of Law Enforcement shall forward  
525 the fingerprints to the Federal Bureau of Investigation for  
526 national processing. The prospective eldercaring coordinator  
527 shall pay the fees for state and federal fingerprint processing.  
528 The state cost for fingerprint processing shall be as provided  
529 in s. 943.053(3)(e) for records provided to persons or entities  
530 other than those specified as exceptions therein.

531 4. Have not been a respondent in a final order granting an  
532 injunction for protection against domestic, dating, sexual, or  
533 repeat violence or stalking or exploitation of an elder or a  
534 disabled person.

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

537 Section 9. Subsection (5) of section 501.9741, Florida  
538 Statutes, is amended to read:

539 501.9741 Assisting in veterans' benefits matters.—

540 (5) BACKGROUND SCREENING.—A provider must ensure that all  
541 individuals who directly assist a veteran in a veterans'  
542 benefits matter complete a level 2 background screening that  
543 screens for any offenses identified in s. 408.809(4) or s.  
544 435.04(2)(e), (f), or (ss) or (3) ~~s. 435.04(2)(d), (e), or (ee)~~  
545 ~~or (4)~~ before entering into any agreement with a veteran for  
546 veterans' benefits matters. An individual must submit a full set  
547 of fingerprints to the Department of Law Enforcement or to a  
548 vendor, entity, or agency authorized by s. 943.053(13), which  
549 shall forward the fingerprints to the Department of Law  
550 Enforcement for state processing. The Department of Veterans'  
551 Affairs shall transmit the background screening results to the

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552 provider, which results must indicate whether an individual's  
553 background screening contains any of the offenses listed in this  
554 subsection. Fees for state and federal fingerprint processing  
555 must be borne by the provider or individual. The state cost for  
556 fingerprint processing is as provided in s. 943.053(3)(e). This  
557 subsection does not imply endorsement, certification, or  
558 regulation of providers by the Department of Veterans' Affairs.

559 Section 10. For the purpose of incorporating the amendment  
560 made by this act to section 435.04, Florida Statutes, in  
561 references thereto, subsection (6) and paragraph (d) of  
562 subsection (8) of section 397.487, Florida Statutes, are  
563 reenacted to read:

564 397.487 Voluntary certification of recovery residences.—

565 (6) All owners, directors, and chief financial officers of  
566 an applicant recovery residence are subject to level 2  
567 background screening as provided under s. 408.809 and chapter  
568 435. A recovery residence is ineligible for certification, and a  
569 credentialing entity shall deny a recovery residence's  
570 application, if any owner, director, or chief financial officer  
571 has been found guilty of, or has entered a plea of guilty or  
572 nolo contendere to, regardless of adjudication, any offense  
573 listed in s. 408.809(4) or s. 435.04(2) unless the department  
574 has issued an exemption under s. 435.07. Exemptions from  
575 disqualification applicable to service provider personnel  
576 pursuant to s. 397.4073 or s. 435.07 shall apply to this  
577 subsection. In accordance with s. 435.04, the department shall  
578 notify the credentialing agency of an owner's, director's, or  
579 chief financial officer's eligibility based on the results of  
580 his or her background screening.

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(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.

(d) If any owner, director, or chief financial officer of a certified recovery residence is arrested and awaiting disposition for or found guilty of, or enters a plea of guilty or nolo contendere to, 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 11. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in references thereto, subsection (5) and paragraph (b) of subsection (6) of section 397.4871, Florida Statutes, are reenacted to read:

## 397.4871 Recovery residence administrator certification.—

(5) All applicants are subject to level 2 background screening as provided under chapter 435. An applicant is ineligible, and a credentialing entity shall deny the application, if the applicant has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809 or s. 435.04(2) unless the department has issued an exemption under s. 435.07.

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610 Exemptions from disqualification applicable to service provider  
611 personnel pursuant to s. 397.4073 or s. 435.07 shall apply to  
612 this subsection. In accordance with s. 435.04, the department  
613 shall notify the credentialing agency of the applicant's  
614 eligibility based on the results of his or her background  
615 screening.

616 (6) The credentialing entity shall issue a certificate of  
617 compliance upon approval of a person's application. The  
618 certification shall automatically terminate 1 year after  
619 issuance if not renewed.

620 (b) If a certified recovery residence administrator of a  
621 recovery residence is arrested and awaiting disposition for or  
622 found guilty of, or enters a plea of guilty or nolo contendere  
623 to, regardless of whether adjudication is withheld, any offense  
624 listed in s. 435.04(2) while acting in that capacity, the  
625 certified recovery residence must immediately remove the person  
626 from that position and notify the credentialing entity within 3  
627 business days after such removal. The certified recovery  
628 residence shall retain a certified recovery residence  
629 administrator within 90 days after such removal. The  
630 credentialing entity must revoke the certificate of compliance  
631 of any recovery residence that fails to meet these requirements.

632 Section 12. For the purpose of incorporating the amendment  
633 made by this act to section 435.04, Florida Statutes, in a  
634 reference thereto, subsection (13) of section 409.913, Florida  
635 Statutes, is reenacted to read:

636 409.913 Oversight of the integrity of the Medicaid  
637 program.—The agency shall operate a program to oversee the  
638 activities of Florida Medicaid recipients, and providers and

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639 their representatives, to ensure that fraudulent and abusive  
640 behavior and neglect of recipients occur to the minimum extent  
641 possible, and to recover overpayments and impose sanctions as  
642 appropriate. Each January 15, the agency and the Medicaid Fraud  
643 Control Unit of the Department of Legal Affairs shall submit a  
644 report to the Legislature documenting the effectiveness of the  
645 state's efforts to control Medicaid fraud and abuse and to  
646 recover Medicaid overpayments during the previous fiscal year.  
647 The report must describe the number of cases opened and  
648 investigated each year; the sources of the cases opened; the  
649 disposition of the cases closed each year; the amount of  
650 overpayments alleged in preliminary and final audit letters; the  
651 number and amount of fines or penalties imposed; any reductions  
652 in overpayment amounts negotiated in settlement agreements or by  
653 other means; the amount of final agency determinations of  
654 overpayments; the amount deducted from federal claiming as a  
655 result of overpayments; the amount of overpayments recovered  
656 each year; the amount of cost of investigation recovered each  
657 year; the average length of time to collect from the time the  
658 case was opened until the overpayment is paid in full; the  
659 amount determined as uncollectible and the portion of the  
660 uncollectible amount subsequently reclaimed from the Federal  
661 Government; the number of providers, by type, that are  
662 terminated from participation in the Medicaid program as a  
663 result of fraud and abuse; and all costs associated with  
664 discovering and prosecuting cases of Medicaid overpayments and  
665 making recoveries in such cases. The report must also document  
666 actions taken to prevent overpayments and the number of  
667 providers prevented from enrolling in or reenrolling in the

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668 Medicaid program as a result of documented Medicaid fraud and  
669 abuse and must include policy recommendations necessary to  
670 prevent or recover overpayments and changes necessary to prevent  
671 and detect Medicaid fraud. All policy recommendations in the  
672 report must include a detailed fiscal analysis, including, but  
673 not limited to, implementation costs, estimated savings to the  
674 Medicaid program, and the return on investment. The agency must  
675 submit the policy recommendations and fiscal analyses in the  
676 report to the appropriate estimating conference, pursuant to s.  
677 216.137, by February 15 of each year. The agency and the  
678 Medicaid Fraud Control Unit of the Department of Legal Affairs  
679 each must include detailed unit-specific performance standards,  
680 benchmarks, and metrics in the report, including projected cost  
681 savings to the state Medicaid program during the following  
682 fiscal year.

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

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697       Section 13. For the purpose of incorporating the amendment  
698 made by this act to section 435.04, Florida Statutes, in a  
699 reference thereto, subsection (2) of section 435.03, Florida  
700 Statutes, is reenacted to read:

701       435.03 Level 1 screening standards.—

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

708 435.04(2) or similar law of another jurisdiction.

709       Section 14. For the purpose of incorporating the amendment  
710 made by this act to section 435.04, Florida Statutes, in a  
711 reference thereto, paragraph (j) of subsection (1) of section  
712 1012.22, Florida Statutes, is reenacted to read:

713       1012.22 Public school personnel; powers and duties of the  
714 district school board.—The district school board shall:

715       (1) Designate positions to be filled, prescribe  
716 qualifications for those positions, and provide for the  
717 appointment, compensation, promotion, suspension, and dismissal  
718 of employees as follows, subject to the requirements of this  
719 chapter:

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

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726       Section 15. For the purpose of incorporating the amendment  
727 made by this act to section 435.04, Florida Statutes, in a  
728 reference thereto, subsection (1) of section 1012.315, Florida  
729 Statutes, is reenacted to read:

730       1012.315 Screening standards.—

731       (1) A person is ineligible for educator certification or  
732 employment in any position that requires direct contact with  
733 students in a district school system, a charter school, or a  
734 private school that participates in a state scholarship program  
735 under chapter 1002, which includes being an owner or operator of  
736 a private school that participates in a scholarship program  
737 under chapter 1002, if the person:

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

740           (b) Is registered as a sex offender as described in 42  
741 U.S.C. s. 9858f(c)(1)(C);

742           (c) Is ineligible based on a security background  
743 investigation under s. 435.04(2). The Agency for Health Care  
744 Administration shall determine the eligibility of employees in  
745 any position that requires direct contact with students in a  
746 district school system, a charter school, or a private school  
747 that participates in a state scholarship program under chapter  
748 1002;

749           (d) Would be ineligible for an exemption under s.  
750 435.07(4)(c); or

751           (e) Has been convicted or found guilty of, has had  
752 adjudication withheld for, or has pled guilty or nolo contendere  
753 to:

754           1. Any criminal act committed in another state or under

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755       federal law which, if committed in this state, constitutes a  
756       disqualifying offense under s. 435.04(2).

757       2. Any delinquent act committed in this state or any  
758       delinquent or criminal act committed in another state or under  
759       federal law which, if committed in this state, qualifies an  
760       individual for inclusion on the Registered Juvenile Sex Offender  
761       List under s. 943.0435(1)(h)1.d.

762       Section 16. For the purpose of incorporating the amendment  
763       made by this act to section 435.04, Florida Statutes, in a  
764       reference thereto, section 1012.797, Florida Statutes, is  
765       reenacted to read:

766       1012.797 Notification of certain charges against  
767       employees.—Notwithstanding s. 985.04(7) or any other law to the  
768       contrary, a law enforcement agency shall, within 48 hours,  
769       notify the appropriate district school superintendent, charter  
770       school governing board, private school owner or administrator,  
771       president of the Florida School for the Deaf and the Blind, or  
772       university lab schools director or principal, as applicable,  
773       when its employee is arrested for a felony or a misdemeanor  
774       involving an offense listed in s. 435.04(2), the abuse of a  
775       minor child, or the sale or possession of a controlled  
776       substance. The notification must include the specific charge for  
777       which the employee of the school district was arrested.  
778       Notwithstanding ss. 1012.31(3)(a)1. and 1012.796(4), within 24  
779       hours after such notification, the school principal or designee  
780       shall notify parents of enrolled students who had direct contact  
781       with the employee and include, at a minimum, the name and  
782       specific charges against the employee.

783       Section 17. For the purpose of incorporating the amendment

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784 made by this act to section 435.04, Florida Statutes, in a  
785 reference thereto, subsection (2) of section 1012.799, Florida  
786 Statutes, is reenacted to read:

787 1012.799 Reporting and self-reporting certain offenses.—

788 (2) Instructional personnel and administrative personnel  
789 shall self-report within 48 hours to a school district  
790 authority, as determined by the district superintendent, any  
791 arrest for a felony offense or for a misdemeanor offense listed  
792 in s. 435.04(2). Such self-report is not considered an admission  
793 of guilt and is not admissible for any purpose in any  
794 proceeding, civil or criminal, administrative or judicial,  
795 investigatory or adjudicatory. In addition, instructional  
796 personnel and administrative personnel shall self-report any  
797 conviction, finding of guilt, withholding of adjudication,  
798 commitment to a pretrial diversion program, or entering of a  
799 plea of guilty or nolo contendere for any criminal offense other  
800 than a minor traffic violation within 48 hours after the final  
801 judgment. When handling sealed and expunged records disclosed  
802 under this rule, school districts must comply with the  
803 confidentiality provisions of ss. 943.0585(4)(c) and  
804 943.059(4)(c).

805 Section 18. This act shall take effect July 1, 2026.