

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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to designate a user administrator for a specified purpose; authorizing such qualified entities to designate additional authorized users with certain delegated authority; authorizing the clearinghouse, beginning on a specified date, to provide national criminal history record information to qualified entities, rather than only under certain circumstances; amending ss. 943.0585 and 943.059, F.S.; prohibiting certain persons from denying or failing to acknowledge certain criminal history records that have been expunged or sealed, respectively; amending ss. 44.407 and 501.9741, F.S.; conforming cross-references; reenacting ss. 397.487(6) and (8)(d), 397.4871(5) and (6)(b), 409.913(13), 435.03(2), 1012.22(1)(j), 1012.315(1), 1012.797, and 1012.799(2), F.S., relating to voluntary certification of recovery residences; recovery residence administrator certification; oversight of the integrity of the Medicaid program; level 1 screening standards; public school personnel and powers and duties of the district school board; screening standards; notification of certain charges against employees; and reporting and self-reporting certain offenses, respectively, to incorporate the amendment made to s. 435.04, F.S., in references thereto; providing an effective date.

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

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

435.04 Level 2 screening standards.—

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

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

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

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

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

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

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

(g) Section 741.28, relating to domestic violence.

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

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

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

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

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

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

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

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

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

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

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

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

(s)~~(q)~~ Section 787.01, relating to kidnapping.

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

(u)~~(s)~~ Section 787.025, relating to luring or enticing a
child.

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

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

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

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

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117 ~~(z)~~~~(*)~~ 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)~~~~(ee)~~ 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)~~(ll)~~ 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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threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

(ddd) Section 838.015, relating to bribery.

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

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

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

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

(iii)~~(aa)~~ Chapter 847, relating to obscene literature.

(jjj)~~(bb)~~ Section 859.01, relating to poisoning food or water.

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

(lll)~~(dd)~~ Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

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

(nnn)~~(ff)~~ Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ooo)~~(gg)~~ Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

(ppp)~~(hh)~~ Section 944.40, relating to escape.

(qqq)~~(ii)~~ Section 944.46, relating to harboring,

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concealing, or aiding an escaped prisoner.

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

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

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

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

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

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

435.12 Care Provider Background Screening Clearinghouse.—

(1) The Agency for Health Care Administration in consultation with the Department of Law Enforcement shall create a secure web-based system, which shall be known as the "Care Provider Background Screening Clearinghouse" or "clearinghouse." The clearinghouse must allow the results of criminal history checks provided to the specified agencies and, beginning January 1, 2026, or a later date as determined by the Agency for Health Care Administration, to qualified entities participating in the clearinghouse for screening of persons qualified as care 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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section, to read:

943.0438 Athletic coaches for independent sanctioning authorities.—

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

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

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

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

(2) An independent sanctioning authority shall:

(a) Effective July 1, 2026:7

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

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

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

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

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

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

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

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

943.0585 Court-ordered expunction of criminal history records.—

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(6) EFFECT OF EXPUNCTION ORDER.—

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

1. Is a candidate for employment with a criminal justice agency;
2. Is a defendant in a criminal prosecution;
3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.059;
4. Is a candidate for admission to The Florida Bar;
5. Is seeking to be employed or licensed by or to contract with the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Health, the Department of Elderly Affairs, or the Department of Juvenile Justice or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the disabled, or the elderly;
- 6.a. Is seeking to be employed or licensed by, or contract with, the Department of Education, any district unit under s. 1001.30, any special district unit under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, any virtual instruction program under s. 1002.45, any charter school under s. 1002.33, any hope operator under s. 1002.333, any alternative school under s.

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1008.341, any private or parochial school, or any local governmental entity that licenses child care facilities;

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

c. Is a person screened under s. 1012.467;

7. Is seeking to be licensed by the Division of Insurance Agent and Agency Services within the Department of Financial Services; ~~or~~

8. Is seeking to be appointed as a guardian pursuant to s. 744.3125; or

9. Is a person screened through the Care Provider Background Screening Clearinghouse by a specified agency or qualified entity pursuant to s. 435.12.

Section 7. Paragraph (b) of subsection (6) of section 943.059, Florida Statutes, is amended to read:

943.059 Court-ordered sealing of criminal history records.—

(6) EFFECT OF ORDER.—

(b) The subject of the criminal history record sealed under this section or under other provisions of law, including former ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to acknowledge the arrests covered by the sealed record, except when the subject of the record:

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

2. Is a defendant in a criminal prosecution;

3. Concurrently or subsequently petitions for relief under this section, s. 943.0583, or s. 943.0585;

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

5. Is seeking to be employed or licensed by or to contract

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

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

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

c. Is a person screened under s. 1012.467;

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

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

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

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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practice;

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

c. An eldercaring coordinator training program certified by the Florida Supreme Court. The training must total at least 44 hours and must include advanced tactics for dispute resolution of issues related to aging, illness, incapacity, or other vulnerabilities associated with elders, as well as elder, guardianship, and incapacity law and procedures and less restrictive alternatives to guardianship; phases of eldercaring coordination and the role and functions of an eldercaring coordinator; the elder's role within eldercaring coordination; family dynamics related to eldercaring coordination; eldercaring coordination skills and techniques; multicultural competence and its use in eldercaring coordination; at least 6 hours of the implications of elder abuse, neglect, and exploitation and other safety issues pertinent to the training; at least 4 hours of ethical considerations pertaining to the training; use of technology within eldercaring coordination; and court-specific eldercaring coordination procedures. Pending certification of a training program by the Florida Supreme Court, the eldercaring coordinator must document completion of training that satisfies the hours and the elements prescribed in this sub-subparagraph.

3. Have successfully passed a level 2 background screening as provided in s. 435.04(2) ~~and (3)~~ or are exempt from disqualification under s. 435.07. The prospective eldercaring coordinator must submit a full set of fingerprints to the court or to a vendor, entity, or agency authorized by s. 943.053(13). The court, vendor, entity, or agency shall forward the

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

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

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

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

501.9741 Assisting in veterans' benefits matters.—

(5) BACKGROUND SCREENING.—A provider must ensure that all individuals who directly assist a veteran in a veterans' benefits matter complete a level 2 background screening that screens for any offenses identified in s. 408.809(4) or s. 435.04(2)(e), (f), or (ss) or (3) ~~s. 435.04(2)(d), (e), or (oo) or (4)~~ before entering into any agreement with a veteran for veterans' benefits matters. An individual must submit a full set of fingerprints to the Department of Law Enforcement or to a vendor, entity, or agency authorized by s. 943.053(13), which shall forward the fingerprints to the Department of Law Enforcement for state processing. The Department of Veterans' 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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Exemptions from disqualification applicable to service provider personnel pursuant to s. 397.4073 or s. 435.07 shall apply to this subsection. In accordance with s. 435.04, the department shall notify the credentialing agency of the applicant's eligibility based on the results of his or her background screening.

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

(b) If a certified recovery residence administrator of a 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 certified recovery residence shall retain a certified recovery residence administrator within 90 days after such removal. The credentialing entity must revoke the certificate of compliance of any recovery residence that fails to meet these requirements.

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

409.913 Oversight of the integrity of the Medicaid program.—The agency shall operate a program to oversee the 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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Section 15. For the purpose of incorporating the amendment made by this act to section 435.04, Florida Statutes, in a reference thereto, subsection (1) of section 1012.315, Florida Statutes, is reenacted to read:

1012.315 Screening standards.—

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

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

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

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

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

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

1. Any criminal act committed in another state or under

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

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

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

1012.797 Notification of certain charges against employees.—Notwithstanding s. 985.04(7) or any other law to the contrary, a law enforcement agency shall, within 48 hours, notify the appropriate district school superintendent, charter school governing board, private school owner or administrator, president of the Florida School for the Deaf and the Blind, or university lab schools director or principal, as applicable, when its employee is arrested for a felony or a misdemeanor involving an offense listed in s. 435.04(2), the abuse of a minor child, or the sale or possession of a controlled substance. The notification must include the specific charge for which the employee of the school district was arrested.

Notwithstanding ss. 1012.31(3)(a)1. and 1012.796(4), within 24 hours after such notification, the school principal or designee shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

Section 17. For the purpose of incorporating the amendment

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

1012.799 Reporting and self-reporting certain offenses.—

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

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