

1                   A bill to be entitled  
2       An act relating to residential homes for medically or  
3       technologically dependent children; creating part XII  
4       of ch. 400, F.S., entitled "Medically Complex  
5       Children's Homes"; creating s. 400.9991, F.S.;  
6       providing legislative intent; creating s. 400.9992,  
7       F.S.; defining the terms "agency" and "medically  
8       complex children's home"; creating s. 400.9993, F.S.;  
9       providing licensure requirements; creating s.  
10      400.9994, F.S.; providing application requirements;  
11      requiring the Agency for Health Care Administration to  
12      require certain background screening for certain  
13      persons; requiring access to a medically complex  
14      children's home at reasonable times for certain  
15      persons; requiring the agency to issue a provisional  
16      license to a newly licensed provider for a specified  
17      timeframe under certain circumstances; requiring  
18      issuance of a standard license to a provisionally  
19      licensed provider under certain circumstances;  
20      authorizing the agency to issue a conditional license  
21      for a specified timeframe to a licensed provider for  
22      specified reasons; requiring the agency to conduct  
23      inspections; creating s. 400.9995, F.S.; providing  
24      rulemaking authority and requirements; creating s.  
25      400.9996, F.S.; providing eligibility requirements for

admission to a medically complex children's home;  
creating s. 400.9997, F.S.; providing uniform  
firesafety standards, emergency preparedness  
requirements, and construction standards; creating s.  
400.9998, F.S.; providing for the denial, suspension,  
and revocation of a license; providing for  
administrative fines; amending ss. 400.051, 408.802,  
408.820, and 408.823, F.S.; conforming provisions to  
changes made by the act; requiring the agency to  
implement certain changes by a specified date;  
providing an effective date.

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

**Section 1.** Part XII of chapter 400, Florida Statutes,  
consisting of ss. 400.9991 through 400.9998, is created and  
entitled "Medically Complex Children's Homes."

**Section 2. Section 400.9991, Florida Statutes, is created**  
**to read:**

400.9991 Legislative intent.—It is the intent of the  
Legislature to develop, establish, and enforce licensure and  
basic standards for medically complex children's homes in order  
to ensure that the homes are family-centered and that the  
medical, developmental, physiological, nutritional, and  
psychosocial needs of medically complex children are met.

51 Medically complex children's homes shall serve as a safe home-  
52 like setting with clinical oversight for children with complex  
53 medical needs as an alternative to institutional care. This  
54 setting is intended to meet the needs of children and families  
55 in this state, offering smaller homes geographically close to  
56 parents and guardians to maintain family connections for the  
57 fragile children served. Medically complex children's homes are  
58 not intended to serve children whose parents and guardians live  
59 outside of this state, as out-of-state residency does not  
60 support family involvement with the child.

61 **Section 3. Section 400.9992, Florida Statutes, is created**  
62 **to read:**

63 400.9992 Definitions.—As used in this part, the term:

64 (1) "Agency" means the Agency for Health Care  
65 Administration.

66 (2) "Medically complex children's home" means any  
67 residential home that undertakes through its ownership or  
68 management to provide residential services for up to six  
69 medically dependent or technologically dependent children who  
70 are not related to the owner or operator by blood, marriage, or  
71 adoption. A medically complex children's home serves children  
72 who are medically or technologically dependent as defined in s.  
73 400.902(6).

74 **Section 4. Section 400.9993, Florida Statutes, is created**  
75 **to read:**

76        400.9993 Licensure required; exemptions.—

77        (1) The requirements of part II of chapter 408 apply to  
78 the provision of services that require licensure pursuant to  
79 this part and part II of chapter 408 and to entities licensed by  
80 or applying for such licensure from the agency pursuant to this  
81 part. A license issued by the agency is required for the  
82 operation of a medically complex children's home in this state.

83        (2) Separate licenses shall be required for homes  
84 maintained in separate premises that are operated under the same  
85 management.

86        (3) A medical foster home licensed by the Department of  
87 Children and Families is exempt from licensure under this part.

88        (4) (a) A community residential group home licensed under  
89 chapter 393 providing residential care for medically complex  
90 children is deemed to satisfy the requirements for initial  
91 licensure under this part if the home meets all of the following  
92 criteria:

93            1. The home held a license in good standing under chapter  
94 393 on June 30, 2026.

95            2. The home shares common ownership with all of the  
96 following:

97            a. A health agency licensed under part III of chapter 400  
98 providing private duty nursing services by registered nurses or  
99 licensed practical nurses.

100          b. A prescribed pediatric extended care center licensed

101 under part VI of chapter 400.

102 c. A home medical equipment provider licensed under part  
103 VII of chapter 400.

104 d. A health care clinic licensed under part X of chapter  
105 400 providing speech-language therapy, physical therapy, or  
106 occupational therapy.

107 (b) A community residential group home that meets the  
108 requirements in paragraph (a) shall submit an application for  
109 licensure to the agency within 60 days after the adoption of  
110 agency licensure rules and must comply with the minimum  
111 standards and requirements to maintain licensure pursuant to  
112 this part.

113 **Section 5. Section 400.9994, Florida Statutes, is created**  
114 **to read:**

115 400.9994 Licensure application requirements.—

116 (1) Each application for initial licensure or license  
117 renewal must meet the requirements specified in part II of  
118 chapter 408 and this part.

119 (2) The initial application must contain the location of  
120 the medically complex children's home for which a license is  
121 sought and documentation, signed by the appropriate local  
122 government official, that states that the applicant has met  
123 local zoning requirements.

124 (3) The agency shall require level 2 background screening  
125 for personnel pursuant to s. 408.809(1)(e) and chapter 435.

126       (4) In addition to the requirements of s. 408.811, access  
127 to a medically complex children's home must be provided at  
128 reasonable times for the appropriate officials of the agency,  
129 the Department of Health, the Department of Children and  
130 Families, and the State Fire Marshal, who are responsible for  
131 the development and maintenance of fire, health, sanitary, and  
132 safety standards, and Medicaid requirements, to inspect the home  
133 to ensure compliance with these standards.

134       (5) In addition to the license categories available in s.  
135 408.808:

136       (a) The agency shall issue a provisional license for a  
137 period of up to 6 months to an applicant for initial licensure  
138 which meets the licensure criteria pursuant to this part and  
139 part II of chapter 408.

140       1. The licensed provider shall notify the agency, in  
141 writing, when at least one resident has been admitted to the  
142 home, after which an unannounced inspection shall be made to  
143 determine compliance with the requirements of a medically  
144 complex children's home.

145       2. In addition to sanctions authorized under this part, if  
146 violations are found during the inspection and the licensee  
147 fails to demonstrate compliance with all medically complex  
148 children's home requirements during a followup inspection, the  
149 licensee may not admit any new children for medically complex  
150 children's home services. The agency may extend the provisional

license for not more than 1 month pending verification of  
correction of violations through a second followup inspection.  
If violations are found during the second followup inspection,  
the agency may not extend the provisional license any further.  
The licensee shall promptly create and implement a plan for the  
safe and orderly discharge of the children being cared for under  
the medically complex children's home license.

3. A provisionally licensed provider that demonstrates  
compliance with all the requirements of a medically complex  
children's home license during the inspection shall be issued a  
standard medically complex children's home license.

(b) The agency may issue a conditional license to a  
facility if, at the time of license renewal, the facility is  
found to have uncorrected violations that the facility has had  
an opportunity to correct. A conditional license must be limited  
to a specific period of not more than 6 months.

(6) The agency shall conduct licensure inspections of  
medically complex children's homes and quarterly monitor visits.

**Section 6. Section 400.9995, Florida Statutes, is created**  
**to read:**

400.9995 Rules establishing minimum standards.—The agency  
may adopt rules to administer this part and part II of chapter  
408, which must include reasonable and fair minimum standards in  
relation to:

(1) A safe and sanitary environment that is residential

176 and noninstitutional in design or nature and may allow for  
177 technological advances in the provision of care, safety, and  
178 security, including the use of devices, equipment, and other  
179 security measures related to the general safety and security of  
180 residents, staff, and the home.

181 (2) Accommodation of the needs and preferences of  
182 residents to enhance the quality of life in the home.

183 (3) The provision of individualized medical,  
184 developmental, and family training services.

185 (4) The number and qualifications of all personnel who  
186 have responsibility for the care of the children served based on  
187 the age and acuity of the children. The home must have licensed  
188 nursing staff who are on duty in the home at all times.

189 (5) All sanitary conditions within the medically complex  
190 children's home and its surroundings, including water supply,  
191 sewage disposal, food handling, and general hygiene, and  
192 maintenance staff thereof, which will ensure the health and  
193 comfort of children served.

194 (6) Programs and basic services promoting and maintaining  
195 a homelike environment and the health and development of the  
196 children served, including facilitating school services. Such  
197 programs and services include development, implementation, and  
198 monitoring of a comprehensive protocol of care, developed in  
199 conjunction with the parent or guardian, which specifies the  
200 medical, nursing, psychosocial, and developmental therapies



201 required by the medically dependent or technologically dependent  
202 child served.

203 (7) Requirements for assisting with supportive services,  
204 including, but not limited to, speech therapy, occupational  
205 therapy, physical therapy, social work, developmental services,  
206 child life services, psychological services, and transportation.

207 (8) Maintenance of appropriate medical records, data, and  
208 information relative to the children and programs. Such records  
209 shall be accessible to the agency for inspection during onsite  
210 visits.

211 (9) The use of video cameras and electronic monitoring  
212 within the home to include areas where monitoring is required  
213 and areas where monitoring is permitted with the consent of the  
214 parent or guardian of the child.

215 (10) Requirements for child bedrooms, including criteria  
216 for a private room and the permissible circumstances for a  
217 shared room.

218 (11) Discharge and transfer planning for a child,  
219 including a child who becomes ineligible for services from the  
220 home. Discharge planning must be initiated at least 18 months  
221 before the child reaches 21 years of age to enable a smooth  
222 transition to an appropriate setting. The rules shall also  
223 specify advance notice requirements.

224 (12) Establishing procedures, identifying forms,  
225 specifying documentation, and clarifying terms, as necessary, to

226 administer this part.

227 (13) Admission and assessment of children.

228 **Section 7. Section 400.9996, Florida Statutes, is created**  
229 **to read:**

230 400.9996 Resident eligibility and admission.—

231 To qualify for admission to a medically complex children's home,  
232 a child must:

233 (1) Be admitted from a higher level of care in a Florida  
234 facility such as a hospital or skilled nursing facility, or must  
235 be admitted from a family home of a parent or guardian whose  
236 primary residence is in Florida.

237 (2) Have a chronic debilitating disease or condition of  
238 one or more physiological or organ systems which generally makes  
239 the child dependent upon 24-hour-per-day medical, nursing, or  
240 health supervision or intervention. Medically fragile children  
241 are medically complex and the medical condition is such that  
242 they are technologically dependent upon medical equipment or  
243 procedures to sustain life and can expire without warning unless  
244 continually under observation.

245 (3) Have a written order by the child's attending  
246 physician in consultation with the parents or legal guardians.  
247 For Medicaid recipients, the recommendations for placement of a  
248 Medicaid applicant or recipient in the medically complex  
249 children's home must be made by the Children's Multidisciplinary  
250 Assessment Team of the Department of Health under s. 391.025.

251 Consideration must be given to relevant medical, emotional,  
252 psychosocial, and environmental factors.

253 **Section 8. Section 400.9997, Florida Statutes, is created**  
254 **to read:**

255 400.9997 Uniform firesafety requirements; emergency  
256 preparedness; construction standards.—

257 (1) Uniform firesafety standards for medically complex  
258 children's homes, which are residential board and care  
259 occupancies, shall be established by the State Fire Marshal  
260 pursuant to s. 633.206.

261 (2) Permanent onsite generators must be installed and  
262 maintained.

263 (3) An automatic fire sprinkler system must be installed  
264 and maintained.

265 (4) A firesafety evacuation capability determination shall  
266 be conducted within 6 months after the date of initial licensure  
267 of a medically complex children's home.

268 (5) Comprehensive emergency management plans required by  
269 s. 408.821 shall be submitted for review and approval to the  
270 local emergency management agency.

271 (6) All medically complex children's homes must have an  
272 annual fire inspection conducted by the local fire marshal or  
273 authority having jurisdiction.

274 (7) The requirements for the construction or renovation of  
275 a medically complex children's home shall comply with all of the

276 following:

277 (a) The provisions of chapter 553, which pertain to  
278 building construction standards, including plumbing, electrical  
279 code, glass, manufactured buildings, and accessibility for the  
280 physically disabled.

281 (b) Section 633.206 and applicable rules pertaining to  
282 physical standards for community residential care facilities.

283 (c) The standards or rules adopted pursuant to this part  
284 and part II of chapter 408.

285 (8) The agency may adopt rules to implement this section.

286 **Section 9. Section 400.9998, Florida Statutes, is created**  
287 **to read:**

288 400.9998 Denial, suspension, and revocation of licensure;  
289 violations; administrative fines.—

290 (1) In accordance with part II of chapter 408, the agency  
291 may deny, revoke, and suspend a license and impose an  
292 administrative fine for the violation of any provision of this  
293 part, part II of chapter 408, or applicable rules.

294 (2) A violation of this part, part II of chapter 408, or  
295 applicable rules is subject to fines specified in s. 408.813. A  
296 violation shall be classified according to the nature of the  
297 violation and the gravity of its probable effect on residents.  
298 The agency shall indicate the classification on the written  
299 notice of the violation as follows:

300 (a) Class "I" violations as described in s. 408.813. The

301 agency shall issue a citation regardless of correction and  
302 impose an administrative fine of \$500 for an isolated violation,  
303 \$750 for a patterned violation, or \$1,000 for a widespread  
304 violation.

305 (b) Class "II" violations as described in s. 408.813. The  
306 agency shall impose an administrative fine of \$400 for an  
307 isolated violation, \$600 for a patterned violation, or \$800 for  
308 a widespread violation.

309 (c) Class "III" violations as described in s. 408.813. The  
310 agency shall impose an administrative fine of \$200 for an  
311 isolated violation, \$300 for a patterned violation, or \$400 for  
312 a widespread violation. If a deficiency giving rise to a class  
313 III violation is corrected within the time specified by the  
314 agency, the fine may not be imposed.

315 (d) Class "IV" violations as described in s. 408.813. The  
316 agency shall impose for a cited class IV violation an  
317 administrative fine of at least \$100 but not exceeding \$200 for  
318 each violation. If a deficiency giving rise to a class IV  
319 violation is corrected within the time specified by the agency,  
320 the fine may not be imposed.

321 (3) The agency may impose an administrative fine for an  
322 unclassified violation pursuant to s. 408.813(3). The agency may  
323 impose an administrative fine of \$500 if a licensee is found not  
324 to be in compliance with the background screening requirements  
325 as provided in s. 408.809.

326       **Section 10. Paragraph (d) is added to subsection (1) of**  
327 **section 400.051, Florida Statutes, to read:**

328       400.051 Homes or institutions exempt from the provisions  
329 of this part.—

330       (1) The following shall be exempt from the provisions of  
331 this part:

332       (d) Any medically complex children's home licensed under  
333 part XII of this chapter.

334       **Section 11. Subsection (26) is added to section 408.802,**  
335 **Florida Statutes, to read:**

336       408.802 Applicability.—This part applies to the provision  
337 of services that require licensure as defined in this part and  
338 to the following entities licensed, registered, or certified by  
339 the agency, as described in chapters 112, 383, 390, 394, 395,  
340 400, 429, 440, and 765:

341       (26) Medically complex children's homes, as provided under  
342 part XII of chapter 400.

343       **Section 12. Subsection (25) is added to section 408.820,**  
344 **Florida Statutes, to read:**

345       408.820 Exemptions.—Except as prescribed in authorizing  
346 statutes, the following exemptions shall apply to specified  
347 requirements of this part:

348       (25) Medically complex children's homes, as provided under  
349 part XII of chapter 400, are exempt from s. 408.810(10).

350       **Section 13. Subsection (1) of section 408.823, Florida**

**Statutes, is amended to read:**

408.823 In-person visitation.—

(1) This section applies to developmental disabilities centers as defined in s. 393.063, hospitals licensed under chapter 395, nursing home facilities licensed under part II of chapter 400, hospice facilities licensed under part IV of chapter 400, intermediate care facilities for the developmentally disabled licensed and certified under part VIII of chapter 400, medically complex children's homes licensed under part XII of chapter 400, and assisted living facilities licensed under part I of chapter 429.

**Section 14.** This act shall take effect July 1, 2026.