

1 A bill to be entitled
2 An act relating to the Agency for Persons with
3 Disabilities; amending s. 393.0655, F.S.; requiring
4 level 2 employment screening for all employees of
5 residential facilities and adult day training
6 programs; providing background screening requirements
7 for such employees; amending s. 393.0663, F.S.;
8 removing a provision requiring an organization to
9 implement a certain mentoring program to be qualified;
10 amending s. 393.0673, F.S.; revising administrative
11 fine requirements; providing an effective date.

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

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15 **Section 1. Subsection (1) of section 393.0655, Florida**
16 **Statutes, is amended to read:**

17 393.0655 Screening of direct service providers.—

18 (1) MINIMUM STANDARDS.—The agency shall require level 2
19 employment screening pursuant to chapter 435 for direct service
20 providers who are unrelated to their clients, including support
21 coordinators, and all employees ~~managers and supervisors~~ of
22 residential facilities or adult day training programs licensed
23 under this chapter and any other persons, including volunteers,
24 who provide care or services, who have access to a client's
25 living areas, or who have access to a client's funds or personal

property. Background screening for all employees must include employment history checks as provided in s. 435.03(1) and local criminal records checks through local law enforcement agencies.

(a) A volunteer who assists on an intermittent basis for less than 10 hours per month does not have to be screened if a person who meets the screening requirement of this section is always present and has the volunteer within his or her line of sight.

(b) Licensed physicians, nurses, or other professionals licensed and regulated by the Department of Health are not subject to background screening pursuant to this section if they are providing a service that is within their scope of licensed practice.

(c) A person selected by the family or the individual with developmental disabilities and paid by the family or the individual to provide supports or services is not required to have a background screening under this section.

(d) Persons 12 years of age or older, including family members, residing with a direct services provider who provides services to clients in his or her own place of residence are subject to background screening; however, such persons who are 12 to 18 years of age shall be screened for delinquency records only.

Section 2. Paragraph (b) of subsection (2) of section 393.0663, Florida Statutes, is amended to read:

51 393.0663 Support coordination; legislative intent;
52 qualified organizations; agency duties; due process;
53 rulemaking.—

54 (2) QUALIFIED ORGANIZATIONS.—

55 (b) The agency shall use qualified organizations for the
56 purpose of providing all support coordination services to
57 iBudget clients in this state. In order to be qualified, an
58 organization must:

- 59 1. Employ four or more support coordinators;
- 60 2. Maintain a professional code of ethics and a
61 disciplinary process that apply to all support coordinators
62 within the organization;
- 63 3. Comply with the agency's cost containment initiatives;
- 64 4. Require support coordinators to ensure that client
65 budgets are linked to levels of need;
- 66 5. Require support coordinators to perform all duties and
67 meet all standards related to support coordination as provided
68 in the Developmental Disabilities Individual Budgeting Waiver
69 Services Coverage and Limitations Handbook;
- 70 6. Prohibit dual employment of a support coordinator if
71 the dual employment adversely impacts the support coordinator's
72 availability to clients;
- 73 7. Educate clients and families regarding identifying and
74 preventing abuse, neglect, and exploitation;
- 75 8. Instruct clients and families on mandatory reporting

requirements for abuse, neglect, and exploitation;

9. Submit within established timeframes all required documentation for requests for significant additional needs;

10. Require support coordinators to successfully complete training and professional development approved by the agency; and

11. Require support coordinators to pass a competency-based assessment established by the agency; ~~and~~

~~12. Implement a mentoring program approved by the agency for support coordinators who have worked as a support coordinator for less than 12 months.~~

Section 3. Subsection (5) of section 393.0673, Florida Statutes, is amended to read:

393.0673 Denial, suspension, or revocation of license; moratorium on admissions; administrative fines; procedures.—

(5) The agency, ~~as a part of any final order issued by it under this chapter,~~ may impose such fine as it deems proper, except that such fine may not exceed \$1,000 for each violation. Each day a violation of this chapter occurs constitutes a separate violation and is subject to a separate fine, but in no event may the aggregate amount of any fine exceed \$10,000. Fines paid by any facility licensee under this subsection shall be deposited in the Health Care Trust Fund and expended as provided in s. 400.063.

Section 4. This act shall take effect July 1, 2026.