

1 A bill to be entitled
2 An act relating to postsurgical recovery homes;
3 creating part XII of ch. 400, F.S., entitled
4 "Postsurgical Recovery Home Safety Act"; creating s.
5 400.9991, F.S.; providing a short title; creating s.
6 400.9992, F.S.; providing legislative findings and
7 intent; creating s. 400.9993, F.S.; providing
8 definitions; creating s. 400.9994, F.S.; providing
9 licensure requirements; creating s. 400.9995, F.S.;
10 providing minimum standards; creating s. 400.9996,
11 F.S.; prohibiting certain acts; creating s. 400.9997,
12 F.S.; providing penalties; creating s. 400.9998, F.S.;
13 requiring the Agency for Health Care Administration to
14 adopt rules; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 **Section 1.** Part XII of chapter 400, Florida Statutes,
19 consisting of ss. 400.9991 through 400.9998, Florida Statutes,
20 is created and entitled "Postsurgical Recovery Home Safety Act."

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

23 400.9991 Short title.—Sections 400.9991-400.9998 may be
24 cited as the "Postsurgical Recovery Home Safety Act."

25 **Section 3.** **Section 400.9992, Florida Statutes, is created**

26 **to read:**

27 400.9992 Legislative findings and intent.—The Legislature
28 finds that unregulated facilities providing care to patients
29 recovering from surgical or medical procedures present risks to
30 patient safety, health, and well-being. It is the intent of the
31 Legislature to establish clear standards, licensing
32 requirements, and oversight for such facilities to ensure the
33 safe recovery of patients and to prevent confusion with
34 addiction recovery residences.

35 **Section 4. Section 400.9993, Florida Statutes, is created**
36 **to read:**

37 400.9993 Definitions.—As used in this part, the term:

38 (1) "Agency" means the Agency for Health Care
39 Administration.

40 (2) "Patient" means an individual admitted to a
41 postsurgical recovery home following a medical or surgical
42 procedure.

43 (3) "Postsurgical recovery home" means a licensed
44 residential facility providing short-term, nonacute care and
45 support to patients recovering from surgical or medical
46 procedures, that is staffed with licensed healthcare
47 professionals.

48 (4) "Recovery plan" means a written care plan developed in
49 coordination with the patient's surgeon or medical provider
50 outlining necessary postoperative care.

51 **Section 5. Section 400.9994, Florida Statutes, is created**
52 **to read:**

53 400.9994 Licensure.—

54 (1) A person or an entity must be licensed by the agency
55 to operate a postsurgical recovery home.

56 (2) An applicant for licensure must submit all of the
57 following:

58 (a) Proof of compliance with all facility safety
59 standards.

60 (b) Criminal background checks for all owners and staff.

61 (c) Proof of general liability and medical malpractice
62 insurance.

63 (3) The agency shall inspect each postsurgical recovery
64 home before issuing a license and annually thereafter.

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

67 400.9995 Minimum standards for postsurgical recovery
68 homes.—

69 (1) (a) At least one licensed practical nurse or registered
70 nurse must be onsite or on-call 24 hours a day, 7 days a week.

71 (b) All staff must be trained in cardiopulmonary
72 resuscitation, basic wound care, and postoperative care
73 procedures.

74 (2) The ratio of staff-to-patients must be maintained as
75 follows:

76 (a) Daytime: 1 to 8.

77 (b) Nighttime: 1 to 6.

78 (3) Facility safety standards must include all of the
79 following:

80 (a) Patient rooms and bathrooms must comply with the
81 Americans with Disabilities Act.

82 (b) Emergency power supply for critical equipment.

83 (c) Proper disposal of medical waste.

84 (4) Each facility must maintain:

85 (a) Written hurricane evacuation and disaster response
86 plans.

87 (b) Contracts with nearby hospitals for emergency
88 transfers.

89 (5) Each facility shall provide a patient, the patient's
90 family, or any other person acting on behalf of the patient
91 with:

92 (a) A written service agreement before admission.

93 (b) Access to a copy of the recovery plan.

94 (c) The visitor access policy to prevent isolation.

95 **Section 7. Section 400.9996, Florida Statutes, is created**
96 **to read:**

97 400.9996 Prohibited acts.—It is unlawful to:

98 (1) Operate a postsurgical recovery home without a
99 license.

100 (2) Advertise a facility as a postsurgical recovery home

101 without a license.

102 (3) Provide patient care without adequately trained on-
103 duty staff.

104 **Section 8. Section 400.9997, Florida Statutes, is created**
105 **to read:**

106 400.9997 Penalties.—

107 (1) Any person or entity that violates this part is
108 subject to:

109 (a) A civil fine of up to \$10,000 per violation.

110 (b) Immediate suspension or revocation of license.

111 (2) Any person or entity that operates a postsurgical
112 recovery home without a license commits a felony of the third
113 degree, punishable as provided in s. 775.082, s. 775.083, or s.
114 775.084.

115 **Section 9. Section 400.9998, Florida Statutes, is created**
116 **to read:**

117 400.9998 Rulemaking.—The agency shall adopt necessary
118 rules to implement this part, including, but not limited to,
119 licensing application and renewal procedures, inspection
120 protocols, and training standards for staff.

121 **Section 10. This act shall take effect July 1, 2026.**