

1 A bill to be entitled
2 An act relating to recovery residences; amending s.
3 397.407, F.S.; specifying the level of background
4 screening the Department of Children and Families must
5 require of certain persons; prohibiting the department
6 from requiring certain existing licensed service
7 providers that are seeking to add licensed services or
8 one or more additional levels of care at an existing
9 licensed location or at one or more new locations to
10 admit individuals for services during the probationary
11 period, if certain requirements are met within a
12 specified timeframe; amending s. 397.487, F.S.;
13 removing provisions prohibiting certified recovery
14 residences from denying an individual access to
15 housing under specified circumstances on or after a
16 specified date; providing an effective date.

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

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20 **Section 1. Subsections (6) and (7) of section 397.407,**
21 **Florida Statutes, are amended to read:**

22 397.407 Licensure process; fees.—

23 (6) (a) The department may issue probationary, regular, and
24 interim licenses. The department may issue one license for all
25 service components operated by a service provider and defined

26 pursuant to s. 397.311(27). The license is valid only for the
27 specific service components listed for each specific location
28 identified on the license. The licensed service provider must
29 ~~shall~~ apply for the addition of any service components and
30 obtain approval before initiating additional services. The
31 licensed service provider must notify the department and provide
32 any required documentation at least 30 days before the
33 relocation of any of its service sites. Provision of service
34 components or delivery of services at a location not identified
35 on the license may be considered an unlicensed operation that
36 authorizes the department to seek an injunction against
37 operation as provided in s. 397.401, in addition to other
38 sanctions authorized by s. 397.415. Probationary and regular
39 licenses may be issued only after all required information has
40 been submitted. A license may not be transferred. As used in
41 this subsection, the term "transfer" means ~~includes, but is not~~
42 ~~limited to,~~ the transfer of a majority of the ownership interest
43 in the licensed entity or transfer of responsibilities under the
44 license to another entity by contractual arrangement.

45 (b) For an event in which 5 percent or greater of the
46 controlling interest of a licensee is in any manner transferred
47 to another person or entity, the department shall only require
48 level 2 background screening pursuant to s. 397.4073 for
49 officers, directors, managing members, and individuals who
50 exercise operational control over the licensee on behalf of that

51 person or entity.

52 (7) (a) Upon receipt of a complete application, payment of
53 applicable fees, and a demonstration of substantial compliance
54 with all applicable statutory and regulatory requirements, the
55 department may issue a probationary license to a service
56 provider applicant with services that are not yet fully
57 operational. The department may not issue a probationary license
58 when doing so would place the health, safety, or welfare of
59 individuals at risk. A probationary license expires 90 days
60 after issuance and may not be reissued. During the probationary
61 period the department shall monitor the delivery of services.
62 Notwithstanding s. 120.60(5), the department may order a
63 probationary licensee to cease and desist operations at any time
64 it is found to be substantially out of compliance with licensure
65 standards. This cease-and-desist order is exempt from the
66 requirements of s. 120.60(6).

67 (b) For an existing licensed service provider seeking to
68 add one or more additional levels of care at an existing
69 licensed location or at one or more new locations where the
70 provider will offer the same level of care that the provider is
71 currently licensed to provide, the department may not require
72 the provider to admit individuals for services during the
73 probationary license period if the provider has no outstanding
74 violations pursuant to s. 397.411 and the department has not
75 taken any actions against the provider's existing license

76 pursuant to s. 397.415 within the prior 12 months.

77 **Section 2. Subsection (13) of section 397.487, Florida**
78 **Statutes, is amended to read:**

79 397.487 Voluntary certification of recovery residences.—

80 ~~(13) Beginning January 1, 2025, a certified recovery~~
81 ~~residence may not deny an individual access to housing solely on~~
82 ~~the basis that he or she has been prescribed federally approved~~
83 ~~medication that assists with treatment for substance use~~
84 ~~disorders by a licensed physician, a physician's assistant, or~~
85 ~~an advanced practice registered nurse registered under s.~~
86 ~~464.0123.~~

87 **Section 3.** This act shall take effect July 1, 2026.