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1
 2 An act relating to substance abuse treatment; amending
 3 s. 397.311, F.S.; providing the levels of care at
 4 certified recovery residences and their respective
 5 levels of care for residents; defining the term
 6 "community housing"; amending s. 397.407, F.S.;
 7 authorizing, rather than requiring, the Department of
 8 Children and Families to issue a license for certain
 9 service components operated by a service provider;
 10 removing the timeframe in which a licensed service
 11 provider must apply for additional services; requiring
 12 the service provider to obtain approval before
 13 relocating to a different service site; removing a
 14 requirement that a separate license is required for
 15 each service component maintained by a service
 16 provider; amending s. 397.487, F.S.; extending the
 17 deadline for certified recovery residences to retain a
 18 replacement for a certified recovery residence
 19 administrator who has been removed from his or her
 20 position; requiring certified recovery residences to
 21 remove certain individuals from their positions under
 22 certain circumstances; requiring the certified
 23 recovery residence to retain a certified recovery
 24 residence administrator if the previous certified
 25 recovery residence administrator has been removed for

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26 any reason; prohibiting certified recovery residences,
 27 on or after a specified date, from denying an
 28 individual access to housing under specified
 29 circumstances; prohibiting local ordinances or
 30 regulations from further regulating after a specified
 31 date the duration or frequency of a resident's stay in
 32 a certified recovery residence located within a
 33 certain zoning districts; providing applicability;
 34 amending s. 397.4871, F.S.; authorizing certain Level
 35 IV certified recovery residences owned or controlled
 36 by certain licensed service providers and managed by a
 37 certified recovery residence administrator to manage a
 38 specified greater number of residents under certain
 39 circumstances; prohibiting a certified recovery
 40 residence administrator who has been removed by a
 41 certified recovery residence from taking on certain
 42 other management positions without approval from a
 43 credentialing entity; amending ss. 119.071, 381.0038,
 44 394.4573, 394.9085, 397.4012, 397.407, 397.410,
 45 397.416, and 893.13, F.S.; conforming provisions to
 46 changes made by the act; providing an effective date.

47

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

49

50 Section 1. Subsections (9) through (50) of section

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51 397.311, Florida Statutes, are renumbered as subsections (10)
52 through (51), respectively, subsection (5) and present
53 subsection (43) are amended, and a new subsection (9) is added
54 to that section, to read:

55 397.311 Definitions.—As used in this chapter, except part
56 VIII, the term:

57 (5) "Certified recovery residence" means a recovery
58 residence that holds a valid certificate of compliance and is
59 actively managed by a certified recovery residence
60 administrator.

61 (a) A Level I certified recovery residence houses
62 individuals in recovery who have completed treatment, with a
63 minimum of 9 months of sobriety. A Level I certified recovery
64 residence is democratically run by the members who reside in the
65 home.

66 (b) A Level II certified recovery residence encompasses
67 the traditional perspectives of sober living homes. There is
68 oversight from a house manager who has experience with living in
69 recovery. Residents are expected to follow rules outlined in a
70 resident handbook provided by the certified recovery residence
71 administrator. Residents must pay dues, if applicable, and work
72 toward achieving realistic and defined milestones within a
73 chosen recovery path.

74 (c) A Level III certified recovery residence offers higher
75 supervision by staff with formal training to ensure resident

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76 accountability. Such residences are staffed 24 hours a day, 7
77 days a week, and offer residents peer-support services, which
78 may include, but are not limited to, life skill mentoring,
79 recovery planning, and meal preparation. Clinical services may
80 not be performed at the residence. Such residences are most
81 appropriate for persons who require a more structured
82 environment during early recovery from addiction.

83 (d) A Level IV certified recovery residence is a residence
84 offered, referred to, or provided by, a licensed service
85 provider to its patients who are required to reside at the
86 residence while receiving intensive outpatient and higher levels
87 of outpatient care. Such residences are staffed 24 hours a day
88 and combine outpatient licensable services with recovery
89 residential living. Residents are required to follow a treatment
90 plan and attend group and individual sessions, in addition to
91 developing a recovery plan within the social model of living in
92 a sober lifestyle. No clinical services are provided at the
93 residence and all licensable services are provided off-site.

94 (9) "Community housing" means a certified recovery
95 residence offered, referred to, or provided by a licensed
96 service provider that provides housing to its patients who are
97 required to reside at the residence while receiving intensive
98 outpatient and higher levels of outpatient care. A certified
99 recovery residence used by a licensed service provider that
100 meets the definition of community housing shall be classified as

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101 a Level IV level of support, as described in subsection (5).

102 (44)~~(43)~~ "Service component" or "component" means a
 103 discrete operational entity within a service provider which is
 104 subject to licensing as defined by rule. Service components
 105 include prevention, intervention, and clinical treatment
 106 described in subsection (27) ~~(26)~~.

107 Section 2. Subsection (11) of section 397.407, Florida
 108 Statutes, is renumbered as subsection (10) and subsection (6)
 109 and present subsection (10) of that section are amended to read:

110 397.407 Licensure process; fees.—

111 (6) The department may issue probationary, regular, and
 112 interim licenses. The department may ~~shall~~ issue one license for
 113 all each service components ~~component that is~~ operated by a
 114 service provider and defined pursuant to s. 397.311(26). The
 115 license is valid only for the specific service components listed
 116 for each specific location identified on the license. The
 117 licensed service provider shall apply for ~~a new license at least~~
 118 ~~60 days before~~ the addition of any service components and obtain
 119 approval before initiating additional services. The licensed
 120 service provider must notify the department and provide any
 121 required documentation at least ~~or~~ 30 days before the relocation
 122 of any of its service sites. Provision of service components or
 123 delivery of services at a location not identified on the license
 124 may be considered an unlicensed operation that authorizes the
 125 department to seek an injunction against operation as provided

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126 in s. 397.401, in addition to other sanctions authorized by s.
 127 397.415. Probationary and regular licenses may be issued only
 128 after all required information has been submitted. A license may
 129 not be transferred. As used in this subsection, the term
 130 "transfer" includes, but is not limited to, the transfer of a
 131 majority of the ownership interest in the licensed entity or
 132 transfer of responsibilities under the license to another entity
 133 by contractual arrangement.

134 ~~(10) A separate license is required for each service~~
 135 ~~component maintained by the service provider.~~

136 Section 3. Subsection (8) of section 397.487, Florida
 137 Statutes, is amended and subsections (13) and (14) are added to
 138 that section, to read:

139 397.487 Voluntary certification of recovery residences.—

140 (8) Onsite followup monitoring of a certified recovery
 141 residence may be conducted by the credentialing entity to
 142 determine continuing compliance with certification requirements.
 143 The credentialing entity shall inspect each certified recovery
 144 residence at least annually to ensure compliance.

145 (a) A credentialing entity may suspend or revoke a
 146 certification if the recovery residence is not in compliance
 147 with any provision of this section or has failed to remedy any
 148 deficiency identified by the credentialing entity within the
 149 time period specified.

150 (b) A certified recovery residence must notify the

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151 credentialing entity within 3 business days after the removal of
 152 the recovery residence's certified recovery residence
 153 administrator due to termination, resignation, or any other
 154 reason. The certified recovery residence has 90 ~~30~~ days to
 155 retain a certified recovery residence administrator. The
 156 credentialing entity must ~~shall~~ revoke the certificate of
 157 compliance of any certified recovery residence that fails to
 158 comply with this paragraph.

159 (c) If a certified recovery residence's administrator has
 160 been removed due to termination, resignation, or any other
 161 reason and had been previously approved to actively manage more
 162 than 50 residents pursuant to s. 397.4871(8)(b), the certified
 163 recovery residence has 90 days to retain another certified
 164 recovery residence administrator pursuant to s. 397.4871. The
 165 credentialing entity must revoke the certificate of compliance
 166 of any certified recovery residence that fails to comply with
 167 this paragraph.

168 (d)-(e) If any owner, director, or chief financial officer
 169 of a certified recovery residence is arrested and awaiting
 170 disposition for or found guilty of, or enters a plea of guilty
 171 or nolo contendere to, regardless of whether adjudication is
 172 withheld, any offense listed in s. 435.04(2) while acting in
 173 that capacity, the certified recovery residence must ~~shall~~
 174 immediately remove the person from that position and ~~shall~~
 175 notify the credentialing entity within 3 business days after

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176 such removal. The credentialing entity ~~must~~ shall revoke the
 177 certificate of compliance of a certified recovery residence that
 178 fails to meet these requirements.

179 ~~(e)-(d)~~ A credentialing entity shall revoke a certified
 180 recovery residence's certificate of compliance if the certified
 181 recovery residence provides false or misleading information to
 182 the credentialing entity at any time.

183 ~~(f)-(e)~~ Any decision by a department-recognized
 184 credentialing entity to deny, revoke, or suspend a
 185 certification, or otherwise impose sanctions on a certified
 186 recovery residence, is reviewable by the department. Upon
 187 receiving an adverse determination, the certified recovery
 188 residence may request an administrative hearing pursuant to ss.
 189 120.569 and 120.57(1) within 30 days after completing any
 190 appeals process offered by the credentialing entity or the
 191 department, as applicable.

192 (13) Beginning January 1, 2025, a certified recovery
 193 residence may not deny an individual access to housing solely on
 194 the basis that he or she has been prescribed federally approved
 195 medication that assists with treatment for substance use
 196 disorders by a licensed physician, a physician's assistant, or
 197 an advanced practice registered nurse registered under s.
 198 464.0123.

199 (14) A local ordinance or regulation may not further
 200 regulate the duration or frequency of a resident's stay in a

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201 certified recovery residence located within a multifamily zoning
 202 district after June 30, 2024. This provision shall expire July
 203 1, 2026.

204 Section 4. Paragraphs (b) and (c) of subsection (6) of
 205 section 397.4871, Florida Statutes, are amended and paragraph
 206 (c) is added to subsection (8) of that section, to read:

207 397.4871 Recovery residence administrator certification.—

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

212 (b) If a certified recovery residence administrator of a
 213 recovery residence is arrested and awaiting disposition for or
 214 found guilty of, or enters a plea of guilty or nolo contendere
 215 to, regardless of whether adjudication is withheld, any offense
 216 listed in s. 435.04(2) while acting in that capacity, the
 217 certified recovery residence must ~~shall~~ immediately remove the
 218 person from that position and ~~shall~~ notify the credentialing
 219 entity within 3 business days after such removal. The certified
 220 recovery residence shall ~~have 30 days to~~ retain a certified
 221 recovery residence administrator within 90 days after such
 222 removal. The credentialing entity must ~~shall~~ revoke the
 223 certificate of compliance of any recovery residence that fails
 224 to meet these requirements.

225 (c) A credentialing entity must ~~shall~~ revoke a certified

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226 recovery residence administrator's certificate of compliance if
 227 the recovery residence administrator provides false or
 228 misleading information to the credentialing entity at any time.

229 (8)

230 (c) Notwithstanding paragraph (b), a Level IV certified
 231 recovery residence operating as community housing as defined in
 232 s. 397.311(9), which residence is actively managed by a
 233 certified recovery residence administrator approved for 100
 234 residents under this section and is wholly owned or controlled
 235 by a licensed service provider, may actively manage up to 150
 236 residents so long as the licensed service provider maintains a
 237 service provider personnel-to-patient ratio of 1 to 8 and
 238 maintains onsite supervision at the residence 24 hours a day, 7
 239 days a week, with a personnel-to-resident ratio of 1 to 10. A
 240 certified recovery residence administrator who has been removed
 241 by a certified recovery residence due to termination,
 242 resignation, or any other reason may not continue to actively
 243 manage more than 50 residents for another service provider or
 244 certified recovery residence without being approved by the
 245 credentialing entity.

246 Section 5. Paragraph (d) of subsection (4) of section
 247 119.071, Florida Statutes, is amended to read:

248 119.071 General exemptions from inspection or copying of
 249 public records.—

250 (4) AGENCY PERSONNEL INFORMATION.—

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251 (d)1. For purposes of this paragraph, the term:

252 a. "Home addresses" means the dwelling location at which

253 an individual resides and includes the physical address, mailing

254 address, street address, parcel identification number, plot

255 identification number, legal property description, neighborhood

256 name and lot number, GPS coordinates, and any other descriptive

257 property information that may reveal the home address.

258 b. "Judicial assistant" means a court employee assigned to

259 the following class codes: 8140, 8150, 8310, and 8320.

260 c. "Telephone numbers" includes home telephone numbers,

261 personal cellular telephone numbers, personal pager telephone

262 numbers, and telephone numbers associated with personal

263 communications devices.

264 2.a. The home addresses, telephone numbers, dates of

265 birth, and photographs of active or former sworn law enforcement

266 personnel or of active or former civilian personnel employed by

267 a law enforcement agency, including correctional and

268 correctional probation officers, personnel of the Department of

269 Children and Families whose duties include the investigation of

270 abuse, neglect, exploitation, fraud, theft, or other criminal

271 activities, personnel of the Department of Health whose duties

272 are to support the investigation of child abuse or neglect, and

273 personnel of the Department of Revenue or local governments

274 whose responsibilities include revenue collection and

275 enforcement or child support enforcement; the names, home

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276 addresses, telephone numbers, photographs, dates of birth, and
 277 places of employment of the spouses and children of such
 278 personnel; and the names and locations of schools and day care
 279 facilities attended by the children of such personnel are exempt
 280 from s. 119.07(1) and s. 24(a), Art. I of the State
 281 Constitution.

282 b. The home addresses, telephone numbers, dates of birth,
 283 and photographs of current or former nonsworn investigative
 284 personnel of the Department of Financial Services whose duties
 285 include the investigation of fraud, theft, workers' compensation
 286 coverage requirements and compliance, other related criminal
 287 activities, or state regulatory requirement violations; the
 288 names, home addresses, telephone numbers, dates of birth, and
 289 places of employment of the spouses and children of such
 290 personnel; and the names and locations of schools and day care
 291 facilities attended by the children of such personnel are exempt
 292 from s. 119.07(1) and s. 24(a), Art. I of the State
 293 Constitution.

294 c. The home addresses, telephone numbers, dates of birth,
 295 and photographs of current or former nonsworn investigative
 296 personnel of the Office of Financial Regulation's Bureau of
 297 Financial Investigations whose duties include the investigation
 298 of fraud, theft, other related criminal activities, or state
 299 regulatory requirement violations; the names, home addresses,
 300 telephone numbers, dates of birth, and places of employment of

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301 the spouses and children of such personnel; and the names and
 302 locations of schools and day care facilities attended by the
 303 children of such personnel are exempt from s. 119.07(1) and s.
 304 24(a), Art. I of the State Constitution.

305 d. The home addresses, telephone numbers, dates of birth,
 306 and photographs of current or former firefighters certified in
 307 compliance with s. 633.408; the names, home addresses, telephone
 308 numbers, photographs, dates of birth, and places of employment
 309 of the spouses and children of such firefighters; and the names
 310 and locations of schools and day care facilities attended by the
 311 children of such firefighters are exempt from s. 119.07(1) and
 312 s. 24(a), Art. I of the State Constitution.

313 e. The home addresses, dates of birth, and telephone
 314 numbers of current or former justices of the Supreme Court,
 315 district court of appeal judges, circuit court judges, and
 316 county court judges, and of current judicial assistants; the
 317 names, home addresses, telephone numbers, dates of birth, and
 318 places of employment of the spouses and children of current or
 319 former justices and judges and of current judicial assistants;
 320 and the names and locations of schools and day care facilities
 321 attended by the children of current or former justices and
 322 judges and of current judicial assistants are exempt from s.
 323 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 324 sub-subparagraph is subject to the Open Government Sunset Review
 325 Act in accordance with s. 119.15 and shall stand repealed on

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326 | October 2, 2028, unless reviewed and saved from repeal through
 327 | reenactment by the Legislature.

328 | f. The home addresses, telephone numbers, dates of birth,
 329 | and photographs of current or former state attorneys, assistant
 330 | state attorneys, statewide prosecutors, or assistant statewide
 331 | prosecutors; the names, home addresses, telephone numbers,
 332 | photographs, dates of birth, and places of employment of the
 333 | spouses and children of current or former state attorneys,
 334 | assistant state attorneys, statewide prosecutors, or assistant
 335 | statewide prosecutors; and the names and locations of schools
 336 | and day care facilities attended by the children of current or
 337 | former state attorneys, assistant state attorneys, statewide
 338 | prosecutors, or assistant statewide prosecutors are exempt from
 339 | s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

340 | g. The home addresses, dates of birth, and telephone
 341 | numbers of general magistrates, special magistrates, judges of
 342 | compensation claims, administrative law judges of the Division
 343 | of Administrative Hearings, and child support enforcement
 344 | hearing officers; the names, home addresses, telephone numbers,
 345 | dates of birth, and places of employment of the spouses and
 346 | children of general magistrates, special magistrates, judges of
 347 | compensation claims, administrative law judges of the Division
 348 | of Administrative Hearings, and child support enforcement
 349 | hearing officers; and the names and locations of schools and day
 350 | care facilities attended by the children of general magistrates,

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351 special magistrates, judges of compensation claims,
 352 administrative law judges of the Division of Administrative
 353 Hearings, and child support enforcement hearing officers are
 354 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 355 Constitution.

356 h. The home addresses, telephone numbers, dates of birth,
 357 and photographs of current or former human resource, labor
 358 relations, or employee relations directors, assistant directors,
 359 managers, or assistant managers of any local government agency
 360 or water management district whose duties include hiring and
 361 firing employees, labor contract negotiation, administration, or
 362 other personnel-related duties; the names, home addresses,
 363 telephone numbers, dates of birth, and places of employment of
 364 the spouses and children of such personnel; and the names and
 365 locations of schools and day care facilities attended by the
 366 children of such personnel are exempt from s. 119.07(1) and s.
 367 24(a), Art. I of the State Constitution.

368 i. The home addresses, telephone numbers, dates of birth,
 369 and photographs of current or former code enforcement officers;
 370 the names, home addresses, telephone numbers, dates of birth,
 371 and places of employment of the spouses and children of such
 372 personnel; and the names and locations of schools and day care
 373 facilities attended by the children of such personnel are exempt
 374 from s. 119.07(1) and s. 24(a), Art. I of the State
 375 Constitution.

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376 j. The home addresses, telephone numbers, places of
377 employment, dates of birth, and photographs of current or former
378 guardians ad litem, as defined in s. 39.820; the names, home
379 addresses, telephone numbers, dates of birth, and places of
380 employment of the spouses and children of such persons; and the
381 names and locations of schools and day care facilities attended
382 by the children of such persons are exempt from s. 119.07(1) and
383 s. 24(a), Art. I of the State Constitution.

384 k. The home addresses, telephone numbers, dates of birth,
385 and photographs of current or former juvenile probation
386 officers, juvenile probation supervisors, detention
387 superintendents, assistant detention superintendents, juvenile
388 justice detention officers I and II, juvenile justice detention
389 officer supervisors, juvenile justice residential officers,
390 juvenile justice residential officer supervisors I and II,
391 juvenile justice counselors, juvenile justice counselor
392 supervisors, human services counselor administrators, senior
393 human services counselor administrators, rehabilitation
394 therapists, and social services counselors of the Department of
395 Juvenile Justice; the names, home addresses, telephone numbers,
396 dates of birth, and places of employment of spouses and children
397 of such personnel; and the names and locations of schools and
398 day care facilities attended by the children of such personnel
399 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
400 Constitution.

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401 1. The home addresses, telephone numbers, dates of birth,
402 and photographs of current or former public defenders, assistant
403 public defenders, criminal conflict and civil regional counsel,
404 and assistant criminal conflict and civil regional counsel; the
405 names, home addresses, telephone numbers, dates of birth, and
406 places of employment of the spouses and children of current or
407 former public defenders, assistant public defenders, criminal
408 conflict and civil regional counsel, and assistant criminal
409 conflict and civil regional counsel; and the names and locations
410 of schools and day care facilities attended by the children of
411 current or former public defenders, assistant public defenders,
412 criminal conflict and civil regional counsel, and assistant
413 criminal conflict and civil regional counsel are exempt from s.
414 119.07(1) and s. 24(a), Art. I of the State Constitution.

415 m. The home addresses, telephone numbers, dates of birth,
416 and photographs of current or former investigators or inspectors
417 of the Department of Business and Professional Regulation; the
418 names, home addresses, telephone numbers, dates of birth, and
419 places of employment of the spouses and children of such current
420 or former investigators and inspectors; and the names and
421 locations of schools and day care facilities attended by the
422 children of such current or former investigators and inspectors
423 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
424 Constitution.

425 n. The home addresses, telephone numbers, and dates of

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426 birth of county tax collectors; the names, home addresses,
 427 telephone numbers, dates of birth, and places of employment of
 428 the spouses and children of such tax collectors; and the names
 429 and locations of schools and day care facilities attended by the
 430 children of such tax collectors are exempt from s. 119.07(1) and
 431 s. 24(a), Art. I of the State Constitution.

432 o. The home addresses, telephone numbers, dates of birth,
 433 and photographs of current or former personnel of the Department
 434 of Health whose duties include, or result in, the determination
 435 or adjudication of eligibility for social security disability
 436 benefits, the investigation or prosecution of complaints filed
 437 against health care practitioners, or the inspection of health
 438 care practitioners or health care facilities licensed by the
 439 Department of Health; the names, home addresses, telephone
 440 numbers, dates of birth, and places of employment of the spouses
 441 and children of such personnel; and the names and locations of
 442 schools and day care facilities attended by the children of such
 443 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 444 the State Constitution.

445 p. The home addresses, telephone numbers, dates of birth,
 446 and photographs of current or former impaired practitioner
 447 consultants who are retained by an agency or current or former
 448 employees of an impaired practitioner consultant whose duties
 449 result in a determination of a person's skill and safety to
 450 practice a licensed profession; the names, home addresses,

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451 telephone numbers, dates of birth, and places of employment of
 452 the spouses and children of such consultants or their employees;
 453 and the names and locations of schools and day care facilities
 454 attended by the children of such consultants or employees are
 455 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 456 Constitution.

457 q. The home addresses, telephone numbers, dates of birth,
 458 and photographs of current or former emergency medical
 459 technicians or paramedics certified under chapter 401; the
 460 names, home addresses, telephone numbers, dates of birth, and
 461 places of employment of the spouses and children of such
 462 emergency medical technicians or paramedics; and the names and
 463 locations of schools and day care facilities attended by the
 464 children of such emergency medical technicians or paramedics are
 465 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 466 Constitution.

467 r. The home addresses, telephone numbers, dates of birth,
 468 and photographs of current or former personnel employed in an
 469 agency's office of inspector general or internal audit
 470 department whose duties include auditing or investigating waste,
 471 fraud, abuse, theft, exploitation, or other activities that
 472 could lead to criminal prosecution or administrative discipline;
 473 the names, home addresses, telephone numbers, dates of birth,
 474 and places of employment of spouses and children of such
 475 personnel; and the names and locations of schools and day care

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476 facilities attended by the children of such personnel are exempt
477 from s. 119.07(1) and s. 24(a), Art. I of the State
478 Constitution.

479 s. The home addresses, telephone numbers, dates of birth,
480 and photographs of current or former directors, managers,
481 supervisors, nurses, and clinical employees of an addiction
482 treatment facility; the home addresses, telephone numbers,
483 photographs, dates of birth, and places of employment of the
484 spouses and children of such personnel; and the names and
485 locations of schools and day care facilities attended by the
486 children of such personnel are exempt from s. 119.07(1) and s.
487 24(a), Art. I of the State Constitution. For purposes of this
488 sub-subparagraph, the term "addiction treatment facility" means
489 a county government, or agency thereof, that is licensed
490 pursuant to s. 397.401 and provides substance abuse prevention,
491 intervention, or clinical treatment, including any licensed
492 service component described in s. 397.311(27) ~~s. 397.311(26)~~.

493 t. The home addresses, telephone numbers, dates of birth,
494 and photographs of current or former directors, managers,
495 supervisors, and clinical employees of a child advocacy center
496 that meets the standards of s. 39.3035(2) and fulfills the
497 screening requirement of s. 39.3035(3), and the members of a
498 Child Protection Team as described in s. 39.303 whose duties
499 include supporting the investigation of child abuse or sexual
500 abuse, child abandonment, child neglect, and child exploitation

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501 or to provide services as part of a multidisciplinary case
 502 review team; the names, home addresses, telephone numbers,
 503 photographs, dates of birth, and places of employment of the
 504 spouses and children of such personnel and members; and the
 505 names and locations of schools and day care facilities attended
 506 by the children of such personnel and members are exempt from s.
 507 119.07(1) and s. 24(a), Art. I of the State Constitution.

508 u. The home addresses, telephone numbers, places of
 509 employment, dates of birth, and photographs of current or former
 510 staff and domestic violence advocates, as defined in s.
 511 90.5036(1)(b), of domestic violence centers certified by the
 512 Department of Children and Families under chapter 39; the names,
 513 home addresses, telephone numbers, places of employment, dates
 514 of birth, and photographs of the spouses and children of such
 515 personnel; and the names and locations of schools and day care
 516 facilities attended by the children of such personnel are exempt
 517 from s. 119.07(1) and s. 24(a), Art. I of the State
 518 Constitution.

519 v. The home addresses, telephone numbers, dates of birth,
 520 and photographs of current or former inspectors or investigators
 521 of the Department of Agriculture and Consumer Services; the
 522 names, home addresses, telephone numbers, dates of birth, and
 523 places of employment of the spouses and children of current or
 524 former inspectors or investigators; and the names and locations
 525 of schools and day care facilities attended by the children of

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526 current or former inspectors or investigators are exempt from s.
 527 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 528 sub-subparagraph is subject to the Open Government Sunset Review
 529 Act in accordance with s. 119.15 and shall stand repealed on
 530 October 2, 2028, unless reviewed and saved from repeal through
 531 reenactment by the Legislature.

532 3. An agency that is the custodian of the information
 533 specified in subparagraph 2. and that is not the employer of the
 534 officer, employee, justice, judge, or other person specified in
 535 subparagraph 2. must maintain the exempt status of that
 536 information only if the officer, employee, justice, judge, other
 537 person, or employing agency of the designated employee submits a
 538 written and notarized request for maintenance of the exemption
 539 to the custodial agency. The request must state under oath the
 540 statutory basis for the individual's exemption request and
 541 confirm the individual's status as a party eligible for exempt
 542 status.

543 4.a. A county property appraiser, as defined in s.
 544 192.001(3), or a county tax collector, as defined in s.
 545 192.001(4), who receives a written and notarized request for
 546 maintenance of the exemption pursuant to subparagraph 3. must
 547 comply by removing the name of the individual with exempt status
 548 and the instrument number or Official Records book and page
 549 number identifying the property with the exempt status from all
 550 publicly available records maintained by the property appraiser

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551 or tax collector. For written requests received on or before
552 July 1, 2021, a county property appraiser or county tax
553 collector must comply with this sub-subparagraph by October 1,
554 2021. A county property appraiser or county tax collector may
555 not remove the street address, legal description, or other
556 information identifying real property within the agency's
557 records so long as a name or personal information otherwise
558 exempt from inspection and copying pursuant to this section is
559 not associated with the property or otherwise displayed in the
560 public records of the agency.

561 b. Any information restricted from public display,
562 inspection, or copying under sub-subparagraph a. must be
563 provided to the individual whose information was removed.

564 5. An officer, an employee, a justice, a judge, or other
565 person specified in subparagraph 2. may submit a written request
566 for the release of his or her exempt information to the
567 custodial agency. The written request must be notarized and must
568 specify the information to be released and the party authorized
569 to receive the information. Upon receipt of the written request,
570 the custodial agency must release the specified information to
571 the party authorized to receive such information.

572 6. The exemptions in this paragraph apply to information
573 held by an agency before, on, or after the effective date of the
574 exemption.

575 7. Information made exempt under this paragraph may be

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576 disclosed pursuant to s. 28.2221 to a title insurer authorized
577 pursuant to s. 624.401 and its affiliates as defined in s.
578 624.10; a title insurance agent or title insurance agency as
579 defined in s. 626.841(1) or (2), respectively; or an attorney
580 duly admitted to practice law in this state and in good standing
581 with The Florida Bar.

582 8. The exempt status of a home address contained in the
583 Official Records is maintained only during the period when a
584 protected party resides at the dwelling location. Upon
585 conveyance of real property after October 1, 2021, and when such
586 real property no longer constitutes a protected party's home
587 address as defined in sub-subparagraph 1.a., the protected party
588 must submit a written request to release the removed information
589 to the county recorder. The written request to release the
590 removed information must be notarized, must confirm that a
591 protected party's request for release is pursuant to a
592 conveyance of his or her dwelling location, and must specify the
593 Official Records book and page, instrument number, or clerk's
594 file number for each document containing the information to be
595 released.

596 9. Upon the death of a protected party as verified by a
597 certified copy of a death certificate or court order, any party
598 can request the county recorder to release a protected
599 decedent's removed information unless there is a related request
600 on file with the county recorder for continued removal of the

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601 decedent's information or unless such removal is otherwise
602 prohibited by statute or by court order. The written request to
603 release the removed information upon the death of a protected
604 party must attach the certified copy of a death certificate or
605 court order and must be notarized, must confirm the request for
606 release is due to the death of a protected party, and must
607 specify the Official Records book and page number, instrument
608 number, or clerk's file number for each document containing the
609 information to be released. A fee may not be charged for the
610 release of any document pursuant to such request.

611 10. Except as otherwise expressly provided in this
612 paragraph, this paragraph is subject to the Open Government
613 Sunset Review Act in accordance with s. 119.15 and shall stand
614 repealed on October 2, 2024, unless reviewed and saved from
615 repeal through reenactment by the Legislature.

616 Section 6. Paragraph (a) of subsection (4) of section
617 381.0038, Florida Statutes, is amended to read:

618 381.0038 Education; sterile needle and syringe exchange
619 programs.—The Department of Health shall establish a program to
620 educate the public about the threat of acquired immune
621 deficiency syndrome.

622 (4) A county commission may authorize a sterile needle and
623 syringe exchange program to operate within its county
624 boundaries. The program may operate at one or more fixed
625 locations or through mobile health units. The program shall

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626 offer the free exchange of clean, unused needles and hypodermic
 627 syringes for used needles and hypodermic syringes as a means to
 628 prevent the transmission of HIV, AIDS, viral hepatitis, or other
 629 blood-borne diseases among intravenous drug users and their
 630 sexual partners and offspring. Prevention of disease
 631 transmission must be the goal of the program. For the purposes
 632 of this subsection, the term "exchange program" means a sterile
 633 needle and syringe exchange program established by a county
 634 commission under this subsection. A sterile needle and syringe
 635 exchange program may not operate unless it is authorized and
 636 approved by a county commission in accordance with this
 637 subsection.

638 (a) Before an exchange program may be established, a
 639 county commission must:

640 1. Authorize the program under the provisions of a county
 641 ordinance;

642 2. Enter into a letter of agreement with the department in
 643 which the county commission agrees that any exchange program
 644 authorized by the county commission will operate in accordance
 645 with this subsection;

646 3. Enlist the local county health department to provide
 647 ongoing advice, consultation, and recommendations for the
 648 operation of the program;

649 4. Contract with one of the following entities to operate
 650 the program:

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- 651 a. A hospital licensed under chapter 395.
- 652 b. A health care clinic licensed under part X of chapter
- 653 400.
- 654 c. A medical school in this state accredited by the
- 655 Liaison Committee on Medical Education or the Commission on
- 656 Osteopathic College Accreditation.
- 657 d. A licensed addictions receiving facility as defined in
- 658 s. 397.311(27)(a)1. ~~s. 397.311(26)(a)1.~~

659 e. A s. 501(c)(3) HIV/AIDS service organization.

660 Section 7. Paragraph (e) of subsection (2) of section

661 394.4573, Florida Statutes, is amended to read:

662 394.4573 Coordinated system of care; annual assessment;

663 essential elements; measures of performance; system improvement

664 grants; reports.—On or before December 1 of each year, the

665 department shall submit to the Governor, the President of the

666 Senate, and the Speaker of the House of Representatives an

667 assessment of the behavioral health services in this state. The

668 assessment shall consider, at a minimum, the extent to which

669 designated receiving systems function as no-wrong-door models,

670 the availability of treatment and recovery services that use

671 recovery-oriented and peer-involved approaches, the availability

672 of less-restrictive services, and the use of evidence-informed

673 practices. The assessment shall also consider the availability

674 of and access to coordinated specialty care programs and

675 identify any gaps in the availability of and access to such

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676 | programs in the state. The department's assessment shall
 677 | consider, at a minimum, the needs assessments conducted by the
 678 | managing entities pursuant to s. 394.9082(5). The department
 679 | shall compile and include in the report all plans submitted by
 680 | managing entities pursuant to s. 394.9082(8) and the
 681 | department's evaluation of each plan.

682 | (2) The essential elements of a coordinated system of care
 683 | include:

684 | (e) Case management. Each case manager or person directly
 685 | supervising a case manager who provides Medicaid-funded targeted
 686 | case management services shall hold a valid certification from a
 687 | department-approved credentialing entity as defined in s.
 688 | 397.311(11) ~~s. 397.311(10)~~ by July 1, 2017, and, thereafter,
 689 | within 6 months after hire.

690 | Section 8. Subsection (6) of section 394.9085, Florida
 691 | Statutes, is amended to read:

692 | 394.9085 Behavioral provider liability.—

693 | (6) For purposes of this section, the terms
 694 | "detoxification ~~services,~~" "addictions receiving facility," and
 695 | "receiving facility" have the same meanings as those provided in
 696 | ss. 397.311(27) (a) 4., 397.311(27) (a) 1. ~~ss. 397.311(26) (a) 3.,~~
 697 | ~~397.311(26) (a) 1.,~~ and 394.455(40), respectively.

698 | Section 9. Subsection (8) of section 397.4012, Florida
 699 | Statutes, is amended to read:

700 | 397.4012 Exemptions from licensure.—The following are

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701 exempt from the licensing provisions of this chapter:

702 (8) A legally cognizable church or nonprofit religious
 703 organization or denomination providing substance abuse services,
 704 including prevention services, which are solely religious,
 705 spiritual, or ecclesiastical in nature. A church or nonprofit
 706 religious organization or denomination providing any of the
 707 licensed service components itemized under s. 397.311(27) ~~s.~~
 708 ~~397.311(26)~~ is not exempt from substance abuse licensure but
 709 retains its exemption with respect to all services which are
 710 solely religious, spiritual, or ecclesiastical in nature.

711
 712 The exemptions from licensure in subsections (3), (4), (8), (9),
 713 and (10) do not apply to any service provider that receives an
 714 appropriation, grant, or contract from the state to operate as a
 715 service provider as defined in this chapter or to any substance
 716 abuse program regulated under s. 397.4014. Furthermore, this
 717 chapter may not be construed to limit the practice of a
 718 physician or physician assistant licensed under chapter 458 or
 719 chapter 459, a psychologist licensed under chapter 490, a
 720 psychotherapist licensed under chapter 491, or an advanced
 721 practice registered nurse licensed under part I of chapter 464,
 722 who provides substance abuse treatment, so long as the
 723 physician, physician assistant, psychologist, psychotherapist,
 724 or advanced practice registered nurse does not represent to the
 725 public that he or she is a licensed service provider and does

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726 not provide services to individuals under part V of this
 727 chapter. Failure to comply with any requirement necessary to
 728 maintain an exempt status under this section is a misdemeanor of
 729 the first degree, punishable as provided in s. 775.082 or s.
 730 775.083.

731 Section 10. Subsections (1) and (6) of section 397.407,
 732 Florida Statutes, are amended to read:

733 397.407 Licensure process; fees.—

734 (1) The department shall establish the licensure process
 735 to include fees and categories of licenses and must prescribe a
 736 fee range that is based, at least in part, on the number and
 737 complexity of programs listed in s. 397.311(27) ~~s. 397.311(26)~~
 738 which are operated by a licensee. The fees from the licensure of
 739 service components are sufficient to cover the costs of
 740 regulating the service components. The department shall specify
 741 a fee range for public and privately funded licensed service
 742 providers. Fees for privately funded licensed service providers
 743 must exceed the fees for publicly funded licensed service
 744 providers.

745 (6) The department may issue probationary, regular, and
 746 interim licenses. The department shall issue one license for
 747 each service component that is operated by a service provider
 748 and defined pursuant to s. 397.311(27) ~~s. 397.311(26)~~. The
 749 license is valid only for the specific service components listed
 750 for each specific location identified on the license. The

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751 licensed service provider shall apply for a new license at least
 752 60 days before the addition of any service components or 30 days
 753 before the relocation of any of its service sites. Provision of
 754 service components or delivery of services at a location not
 755 identified on the license may be considered an unlicensed
 756 operation that authorizes the department to seek an injunction
 757 against operation as provided in s. 397.401, in addition to
 758 other sanctions authorized by s. 397.415. Probationary and
 759 regular licenses may be issued only after all required
 760 information has been submitted. A license may not be
 761 transferred. As used in this subsection, the term "transfer"
 762 includes, but is not limited to, the transfer of a majority of
 763 the ownership interest in the licensed entity or transfer of
 764 responsibilities under the license to another entity by
 765 contractual arrangement.

766 Section 11. Subsection (1) of section 397.410, Florida
 767 Statutes, is amended to read:

768 397.410 Licensure requirements; minimum standards; rules.—

769 (1) The department shall establish minimum requirements
 770 for licensure of each service component, as defined in s.
 771 397.311(27) ~~s. 397.311(26)~~, including, but not limited to:

772 (a) Standards and procedures for the administrative
 773 management of the licensed service component, including
 774 procedures for recordkeeping, referrals, and financial
 775 management.

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776 (b) Standards consistent with clinical and treatment best
 777 practices that ensure the provision of quality treatment for
 778 individuals receiving substance abuse treatment services.

779 (c) The number and qualifications of all personnel,
 780 including, but not limited to, management, nursing, and
 781 qualified professionals, having responsibility for any part of
 782 an individual's clinical treatment. These requirements must
 783 include, but are not limited to:

784 1. Education; credentials, such as licensure or
 785 certification, if appropriate; training; and supervision of
 786 personnel providing direct clinical treatment.

787 2. Minimum staffing ratios to provide adequate safety,
 788 care, and treatment.

789 3. Hours of staff coverage.

790 4. The maximum number of individuals who may receive
 791 clinical services together in a group setting.

792 5. The maximum number of licensed service providers for
 793 which a physician may serve as medical director and the total
 794 number of individuals he or she may treat in that capacity.

795 (d) Service provider facility standards, including, but
 796 not limited to:

797 1. Safety and adequacy of the facility and grounds.

798 2. Space, furnishings, and equipment for each individual
 799 served.

800 3. Infection control, housekeeping, sanitation, and

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801 facility maintenance.

802 4. Meals and snacks.

803 (e) Disaster planning policies and procedures.

804 (f) A prohibition on the premises against alcohol,
 805 marijuana, illegal drugs, and the use of prescribed medications
 806 by an individual other than the individual for whom the
 807 medication is prescribed. For the purposes of this paragraph,
 808 "marijuana" includes marijuana that has been certified by a
 809 qualified physician for medical use in accordance with s.
 810 381.986.

811 Section 12. Section 397.416, Florida Statutes, is amended
 812 to read:

813 397.416 Substance abuse treatment services; qualified
 814 professional.—Notwithstanding any other provision of law, a
 815 person who was certified through a certification process
 816 recognized by the former Department of Health and Rehabilitative
 817 Services before January 1, 1995, may perform the duties of a
 818 qualified professional with respect to substance abuse treatment
 819 services as defined in this chapter, and need not meet the
 820 certification requirements contained in s. 397.311(36) ~~s.~~
 821 ~~397.311(35)~~.

822 Section 13. Paragraph (h) of subsection (1) of section
 823 893.13, Florida Statutes, is amended to read:

824 893.13 Prohibited acts; penalties.—

825 (1)

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826 (h) Except as authorized by this chapter, a person may not
 827 sell, manufacture, or deliver, or possess with intent to sell,
 828 manufacture, or deliver, a controlled substance in, on, or
 829 within 1,000 feet of the real property comprising a mental
 830 health facility, as that term is used in chapter 394; a health
 831 care facility licensed under chapter 395 which provides
 832 substance abuse treatment; a licensed service provider as
 833 defined in s. 397.311; a facility providing services that
 834 include clinical treatment, intervention, or prevention as
 835 described in s. 397.311(27) ~~s. 397.311(26)~~; a recovery residence
 836 as defined in s. 397.311; an assisted living facility as defined
 837 in chapter 429; or a pain management clinic as defined in s.
 838 458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who
 839 violates this paragraph with respect to:

840 1. A controlled substance named or described in s.
 841 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
 842 commits a felony of the first degree, punishable as provided in
 843 s. 775.082, s. 775.083, or s. 775.084.

844 2. A controlled substance named or described in s.
 845 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
 846 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
 847 the second degree, punishable as provided in s. 775.082, s.
 848 775.083, or s. 775.084.

849 3. Any other controlled substance, except as lawfully
 850 sold, manufactured, or delivered, must be sentenced to pay a

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851 | \$500 fine and to serve 100 hours of public service in addition
852 | to any other penalty prescribed by law.

853 | Section 14. This act shall take effect July 1, 2024.