



1 A bill to be entitled
2 An act relating to substance abuse services; amending
3 s. 397.311, F.S.; providing definitions; conforming a
4 cross-reference; creating s. 397.487, F.S.; providing
5 legislative findings; requiring the Department of
6 Children and Families to create a voluntary
7 certification program for recovery residences;
8 requiring the department to approve credentialing
9 entities to develop and administer the certification
10 program; requiring an approved credentialing entity to
11 establish a process for certifying recovery residences
12 that meet certain qualifications; requiring an
13 approved credentialing entity to establish certain
14 fees; requiring a credentialing entity to conduct
15 onsite inspections of a recovery residence; requiring
16 background screening of employees of a recovery
17 residence; providing for denial, suspension, or
18 revocation of certification; providing a criminal
19 penalty for advertising a recovery residence as a
20 "certified recovery residence" unless certified;
21 creating s. 397.4871, F.S.; providing legislative
22 intent; requiring the department to create a voluntary
23 certification program for recovery residence
24 administrators; directing the department to approve at
25 least one credentialing entity by a specified date to
26 develop and administer the certification program;



27 requiring an approved credentialing entity to
28 establish a process for certifying recovery residence
29 administrators who meet certain qualifications;
30 requiring an approved credentialing entity to
31 establish certain fees; requiring background screening
32 of applicants for recovery residence administrator
33 certification; providing for suspension or revocation
34 of certification; providing a criminal penalty for
35 advertising oneself as a "certified recovery residence
36 administrator" unless certified; creating s. 397.4872,
37 F.S.; providing exemptions from disqualifying
38 offenses; requiring credentialing entities to provide
39 the department with a list of all certified recovery
40 residences and recovery residence administrators by a
41 date certain; requiring the department to publish the
42 list on its website; allowing recovery residences and
43 recovery residence administrators to be excluded from
44 the list; amending s. 397.407, F.S.; providing
45 conditions for a licensed service provider to refer
46 patients to certified recovery residences or recovery
47 residences owned and operated by the licensed service
48 provider; defining the term "refer"; amending ss.
49 212.055, 394.9085, 397.405, 397.416, and 440.102,
50 F.S.; conforming cross-references; providing an
51 effective date.

52



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

54

55 Section 1. Present subsection (32) of section 397.311,
56 Florida Statutes, is amended, subsection (4), subsections (5)
57 through (28), and subsections (29) through (39) are renumbered
58 as subsection (7), subsections (9) through (32), and subsections
59 (35) through (45), respectively, and new subsections (4), (5).
60 (6), (8), (33), and (34) are added to that section, to read:

61 397.311 Definitions.—As used in this chapter, except part
62 VIII, the term:

63 (4) "Certificate of compliance" means a certificate that
64 is issued by a credentialing entity to a recovery residence or a
65 recovery residence administrator.

66 (5) "Certified recovery residence" means a recovery
67 residence that holds a valid certificate of compliance or that
68 is actively managed by a certified recovery residence
69 administrator.

70 (6) "Certified recovery residence administrator" means a
71 recovery residence administrator who holds a valid certificate
72 of compliance.

73 (8) "Credentialing entity" means a nonprofit organization
74 that develops and administers professional certification
75 programs according to nationally recognized certification and
76 psychometric standards.

77 (33) "Recovery residence" means a residential dwelling
78 unit, or other form of group housing, that is offered or



CS/CS/HB 479, Engrossed 1

2014

79 advertised through any means, including oral, written,
80 electronic, or printed means, by any person or entity as a
81 residence that provides a peer-supported, alcohol-free, and
82 drug-free living environment.

83 (34) "Recovery residence administrator" means the person
84 responsible for overall management of the recovery residence,
85 including the supervision of residents and staff employed by, or
86 volunteering for, the residence.

87 (38)~~(32)~~ "Service component" or "component" means a
88 discrete operational entity within a service provider which is
89 subject to licensing as defined by rule. Service components
90 include prevention, intervention, and clinical treatment
91 described in subsection (22) ~~(18)~~.

92 Section 2. Section 397.487, Florida Statutes, is created
93 to read:

94 397.487 Voluntary certification of recovery residences.-

95 (1) The Legislature finds that a person suffering from
96 addiction has a higher success rate of achieving long-lasting
97 sobriety when given the opportunity to build a stronger
98 foundation by living in a recovery residence after completing
99 treatment. The Legislature further finds that this state and its
100 subdivisions have a legitimate state interest in protecting
101 these persons, who represent a vulnerable consumer population in
102 need of adequate housing. It is the intent of the Legislature to
103 protect persons who reside in a recovery residence.



104 (2) The department shall approve one or more credentialing
105 entities for the purpose of developing and administering a
106 voluntary certification program for recovery residences. The
107 approved credentialing entity shall:

108 (a) Establish recovery residence certification
109 requirements.

110 (b) Establish processes to:

111 1. Administer the application, certification,
112 recertification, and disciplinary processes.

113 2. Monitor and inspect a recovery residence and its staff
114 to ensure compliance with certification requirements.

115 3. Interview and evaluate residents, employees, and
116 volunteer staff on their knowledge and application of
117 certification requirements.

118 (c) Provide training for owners, managers, and staff.

119 (d) Develop a code of ethics.

120 (e) Establish application, inspection, and annual
121 certification renewal fees. The application fee may not exceed
122 \$100. The inspection fee shall reflect actual costs for
123 inspections. The annual certification renewal fee may not exceed
124 \$100.

125 (3) A credentialing entity shall require the recovery
126 residence to submit the following documents with the completed
127 application and fee:

128 (a) A policy and procedures manual containing:

129 1. Job descriptions for all staff positions.



- 130 2. Drug testing procedures and requirements.
- 131 3. A prohibition on the premises against alcohol, illegal
132 drugs, and the use of prescribed medications by an individual
133 other than the individual for whom the medication is prescribed.
- 134 4. Policies to support a resident's recovery efforts.
- 135 5. A good neighbor policy to address neighborhood concerns
136 and complaints.
- 137 (b) Rules for residents.
- 138 (c) Copies of all forms provided to residents.
- 139 (d) Intake procedures.
- 140 (e) Relapse policy.
- 141 (f) Fee schedule.
- 142 (g) Refund policy.
- 143 (h) Eviction procedures and policy.
- 144 (i) Code of ethics.
- 145 (j) Proof of insurance requirements.
- 146 (k) Background screening requirements.
- 147 (l) Requirements for proof of satisfactory fire, safety,
148 and health inspections.
- 149 (4) A credentialing entity shall conduct an onsite
150 inspection of the recovery residence before issuing a
151 certificate of compliance. Onsite followup monitoring of any
152 certified recovery residence may be conducted by the
153 credentialing entity to determine continuing compliance with
154 certification requirements. Each certified recovery residence



155 shall be inspected at least once during each certification
156 renewal period to ensure compliance.

157 (5) A credentialing entity shall require that all
158 employees of a recovery residence pass a level 2 background
159 screening as provided in s. 435.04. The employee's fingerprints
160 must be submitted by the department, an entity, or a vendor as
161 authorized by s. 943.053(13) (a). The fingerprints shall be
162 forwarded to the Department of Law Enforcement for state
163 processing, and the Department of Law Enforcement shall forward
164 them to the Federal Bureau of Investigation for national
165 processing. Fees for state and national fingerprint processing
166 shall be borne by the employer or employee. The department shall
167 screen background results to determine whether an employee meets
168 certification requirements.

169 (6) A credentialing entity shall issue a certificate of
170 compliance upon approval of the recovery residence's application
171 and inspection. The certification shall automatically terminate
172 if not renewed within 1 year after the date of issuance.

173 (7) A credentialing entity shall deny a recovery
174 residence's application for certification, and may suspend or
175 revoke a certification, if the recovery residence:

176 (a) Is not in compliance with any provision of this
177 section;

178 (b) Has failed to remedy any deficiency identified by the
179 credentialing entity within the time period specified;

180 (c) Provided false, misleading, or incomplete information



CS/CS/HB 479, Engrossed 1

2014

181 to the credentialing entity; or

182 (d) Has employees who are subject to the disqualifying
183 offenses set forth in s. 435.04(2), unless an exemption has been
184 provided under s. 397.4872.

185 (8) It is unlawful for a person to advertise to the
186 public, in any way or by any medium whatsoever, any recovery
187 residence as a "certified recovery residence" unless such
188 recovery residence has first secured a certificate of compliance
189 under this section. A person who violates this subsection
190 commits a misdemeanor of the first degree, punishable as
191 provided in s. 775.082 or s. 775.083.

192 Section 3. Section 397.4871, Florida Statutes, is created
193 to read:

194 397.4871 Recovery residence administrator certification.-

195 (1) It is the intent of the Legislature that a recovery
196 residence administrator voluntarily earn and maintain
197 certification from a credentialing entity approved by the
198 Department of Children and Families. The Legislature further
199 intends that certification ensure that an administrator has the
200 competencies necessary to appropriately respond to the needs of
201 residents, to maintain residence standards, and to meet
202 residence certification requirements.

203 (2) The department shall approve at least one
204 credentialing entity by December 1, 2014, for the purpose of
205 developing and administering a volunteer credentialing program
206 for administrators. The department shall approve any



207 credentialing entity that the department endorses pursuant to s.
208 397.321(16) if the credentialing entity also meets the
209 requirements of this section. The approved credentialing entity
210 shall:

211 (a) Establish recovery residence administrator core
212 competencies, certification requirements, testing instruments,
213 and recertification requirements according to nationally
214 recognized certification and psychometric standards.

215 (b) Establish a process to administer the certification
216 application, award, and maintenance processes.

217 (c) Demonstrate ability to administer:

218 1. A code of ethics and disciplinary process.

219 2. Biennial continuing education requirements and annual
220 certification renewal requirements.

221 3. An education provider program to approve training
222 entities that are qualified to provide precertification training
223 to applicants and continuing education opportunities to
224 certified persons.

225 (3) A credentialing entity shall establish a certification
226 program that:

227 (a) Is established according to nationally recognized
228 certification and psychometric standards.

229 (b) Is directly related to the core competencies.

230 (c) Establishes minimum requirements in each of the
231 following categories:

232 1. Training.



233 2. On-the-job work experience.

234 3. Supervision.

235 4. Testing.

236 5. Biennial continuing education.

237 (d) Requires adherence to a code of ethics and provides
238 for a disciplinary process that applies to certified persons.

239 (e) Approves qualified training entities that provide
240 precertification training to applicants and continuing education
241 to certified recovery residence administrators. To avoid a
242 conflict of interest, a credentialing entity or its affiliate
243 may not deliver training to an applicant or continuing education
244 to a certificateholder.

245 (4) A credentialing entity shall require each applicant to
246 pass a level 2 background screening as provided in s. 435.04.
247 The applicant's fingerprints must be submitted by the
248 department, an entity, or a vendor as authorized by s.
249 943.053(13)(a). The fingerprints shall be forwarded to the
250 Department of Law Enforcement for state processing, and the
251 Department of Law Enforcement shall forward them to the Federal
252 Bureau of Investigation for national processing. Fees for state
253 and national fingerprint processing shall be borne by the
254 applicant. The department shall screen background results to
255 determine whether an applicant meets certification requirements.

256 (5) A credentialing entity shall establish application,
257 examination, and certification fees and an annual certification
258 renewal fee. The application, examination, and certification fee



CS/CS/HB 479, Engrossed 1

2014

259 may not exceed \$225. The annual certification renewal fee may
260 not exceed \$100.

261 (6) The credentialing entity shall issue a certificate of
262 compliance upon approval of a person's application. The
263 certification shall automatically terminate if not renewed
264 within 1 year after the date of issuance.

265 (7) A person who is subject to the disqualifying offenses
266 set forth in s. 435.04(2) is ineligible to become a certified
267 recovery residency administrator.

268 (8) A credentialing entity may suspend or revoke the
269 recovery residence administrator's certificate of compliance if
270 the recovery residence administrator:

271 (a) Fails to adhere to the continuing education
272 requirements; or

273 (b) Becomes subject to the disqualifying offenses set
274 forth in s. 435.04(2), unless an exemption has been provided
275 under s. 397.4872.

276 (9) It is unlawful for a person to advertise himself or
277 herself to the public, in any way or by any medium whatsoever,
278 as a "certified recovery residence administrator" unless he or
279 she has first secured a certificate of compliance under this
280 section. A person who violates this subsection commits a
281 misdemeanor of the first degree, punishable as provided in s.
282 775.082 or s. 775.083.

283 Section 4. Section 397.4872, Florida Statutes, is created
284 to read:



285 397.4872 Exemption from disqualification; publication.—
286 (1) Individual exemptions to staff disqualification or
287 administrator ineligibility may be requested if a recovery
288 residence deems the decision will benefit the program. Requests
289 for exemptions shall be submitted in writing to the department
290 and include a justification for the exemption.
291 (2) The department may exempt a person from ss.
292 397.487(7)(d) and 397.4871(7) if it has been at least 3 years
293 since the person has completed or been lawfully released from
294 confinement, supervision, or sanction for the disqualifying
295 offense. An exemption from the disqualifying offenses may not be
296 given under any circumstances for any person who is a:
297 (a) Sexual predator pursuant to s. 775.21;
298 (b) Career offender pursuant to s. 775.261; or
299 (c) Sexual offender pursuant to s. 943.0435, unless the
300 requirement to register as a sexual offender has been removed
301 pursuant to s. 943.04354.
302 (3) A credentialing entity shall submit a list to the
303 department, no later than April 1, 2015, of all recovery
304 residences or recovery residence administrators whom it has
305 certified and who hold valid certificates of compliance.
306 Thereafter, a credentialing entity shall notify the department
307 within 3 business days when any new recovery residence
308 administrator receives a certificate or when a recovery
309 residence administrator's certificate expires or is terminated.
310 The department shall publish on its website a list of each



311 recovery residence and recovery residence administrator who
312 holds a valid certificate of compliance. A recovery residence or
313 recovery residence administrator shall be excluded from the list
314 upon written request to the department.

315 Section 5. Subsections (1) and (5) of section 397.407,
316 Florida Statutes, are amended, and subsection (11) is added to
317 that section, to read:

318 397.407 Licensure process; fees.—

319 (1) The department shall establish by rule the licensure
320 process to include fees and categories of licenses. The rule
321 must prescribe a fee range that is based, at least in part, on
322 the number and complexity of programs listed in s. 397.311(22)
323 ~~397.311(18)~~ which are operated by a licensee. The fees from the
324 licensure of service components are sufficient to cover at least
325 50 percent of the costs of regulating the service components.
326 The department shall specify by rule a fee range for public and
327 privately funded licensed service providers. Fees for privately
328 funded licensed service providers must exceed the fees for
329 publicly funded licensed service providers. During adoption of
330 the rule governing the licensure process and fees, the
331 department shall carefully consider the potential adverse impact
332 on small, not-for-profit service providers.

333 (5) The department may issue probationary, regular, and
334 interim licenses. After adopting the rule governing the
335 licensure process and fees, the department shall issue one
336 license for each service component that is operated by a service



337 provider and defined in rule pursuant to s. 397.311(22)
338 ~~397.311(18)~~. The license is valid only for the specific service
339 components listed for each specific location identified on the
340 license. The licensed service provider shall apply for a new
341 license at least 60 days before the addition of any service
342 components or 30 days before the relocation of any of its
343 service sites. Provision of service components or delivery of
344 services at a location not identified on the license may be
345 considered an unlicensed operation that authorizes the
346 department to seek an injunction against operation as provided
347 in s. 397.401, in addition to other sanctions authorized by s.
348 397.415. Probationary and regular licenses may be issued only
349 after all required information has been submitted. A license may
350 not be transferred. As used in this subsection, the term
351 "transfer" includes, but is not limited to, the transfer of a
352 majority of the ownership interest in the licensed entity or
353 transfer of responsibilities under the license to another entity
354 by contractual arrangement.

355 (11) Effective July 1, 2015, a service provider licensed
356 under this part may not refer a current or discharged patient to
357 a recovery residence unless the recovery residence holds a valid
358 certificate of compliance as provided in s. 397.487, is actively
359 managed by a certified recovery residence administrator as
360 provided in s. 397.4871, or both, or is owned and operated by a
361 licensed service provider or a licensed service provider's
362 wholly owned subsidiary. For purposes of this subsection, the



363 term "refer" means to inform a patient by any means about the
364 name, address, or other details about the recovery residence.
365 However, this section does not require a licensed service
366 provider to refer any patient to a recovery residence.

367 Section 6. Paragraph (e) of subsection (5) of section
368 212.055, Florida Statutes, is amended to read:

369 212.055 Discretionary sales surtaxes; legislative intent;
370 authorization and use of proceeds.—It is the legislative intent
371 that any authorization for imposition of a discretionary sales
372 surtax shall be published in the Florida Statutes as a
373 subsection of this section, irrespective of the duration of the
374 levy. Each enactment shall specify the types of counties
375 authorized to levy; the rate or rates which may be imposed; the
376 maximum length of time the surtax may be imposed, if any; the
377 procedure which must be followed to secure voter approval, if
378 required; the purpose for which the proceeds may be expended;
379 and such other requirements as the Legislature may provide.
380 Taxable transactions and administrative procedures shall be as
381 provided in s. 212.054.

382 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined
383 in s. 125.011(1) may levy the surtax authorized in this
384 subsection pursuant to an ordinance either approved by
385 extraordinary vote of the county commission or conditioned to
386 take effect only upon approval by a majority vote of the
387 electors of the county voting in a referendum. In a county as
388 defined in s. 125.011(1), for the purposes of this subsection,



389 "county public general hospital" means a general hospital as
390 defined in s. 395.002 which is owned, operated, maintained, or
391 governed by the county or its agency, authority, or public
392 health trust.

393 (e) A governing board, agency, or authority shall be
394 chartered by the county commission upon this act becoming law.
395 The governing board, agency, or authority shall adopt and
396 implement a health care plan for indigent health care services.
397 The governing board, agency, or authority shall consist of no
398 more than seven and no fewer than five members appointed by the
399 county commission. The members of the governing board, agency,
400 or authority shall be at least 18 years of age and residents of
401 the county. No member may be employed by or affiliated with a
402 health care provider or the public health trust, agency, or
403 authority responsible for the county public general hospital.
404 The following community organizations shall each appoint a
405 representative to a nominating committee: the South Florida
406 Hospital and Healthcare Association, the Miami-Dade County
407 Public Health Trust, the Dade County Medical Association, the
408 Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade
409 County. This committee shall nominate between 10 and 14 county
410 citizens for the governing board, agency, or authority. The
411 slate shall be presented to the county commission and the county
412 commission shall confirm the top five to seven nominees,
413 depending on the size of the governing board. Until such time as
414 the governing board, agency, or authority is created, the funds



CS/CS/HB 479, Engrossed 1

2014

415 provided for in subparagraph (d)2. shall be placed in a
416 restricted account set aside from other county funds and not
417 disbursed by the county for any other purpose.

418 1. The plan shall divide the county into a minimum of four
419 and maximum of six service areas, with no more than one
420 participant hospital per service area. The county public general
421 hospital shall be designated as the provider for one of the
422 service areas. Services shall be provided through participants'
423 primary acute care facilities.

424 2. The plan and subsequent amendments to it shall fund a
425 defined range of health care services for both indigent persons
426 and the medically poor, including primary care, preventive care,
427 hospital emergency room care, and hospital care necessary to
428 stabilize the patient. For the purposes of this section,
429 "stabilization" means stabilization as defined in s. 397.311(41)
430 ~~397.311(35)~~. Where consistent with these objectives, the plan
431 may include services rendered by physicians, clinics, community
432 hospitals, and alternative delivery sites, as well as at least
433 one regional referral hospital per service area. The plan shall
434 provide that agreements negotiated between the governing board,
435 agency, or authority and providers shall recognize hospitals
436 that render a disproportionate share of indigent care, provide
437 other incentives to promote the delivery of charity care to draw
438 down federal funds where appropriate, and require cost
439 containment, including, but not limited to, case management.
440 From the funds specified in subparagraphs (d)1. and 2. for

Page 17 of 22

CODING: Words **stricken** are deletions; words **underlined** are additions.

hb0479-03-e1



441 indigent health care services, service providers shall receive
442 reimbursement at a Medicaid rate to be determined by the
443 governing board, agency, or authority created pursuant to this
444 paragraph for the initial emergency room visit, and a per-member
445 per-month fee or capitation for those members enrolled in their
446 service area, as compensation for the services rendered
447 following the initial emergency visit. Except for provisions of
448 emergency services, upon determination of eligibility,
449 enrollment shall be deemed to have occurred at the time services
450 were rendered. The provisions for specific reimbursement of
451 emergency services shall be repealed on July 1, 2001, unless
452 otherwise reenacted by the Legislature. The capitation amount or
453 rate shall be determined prior to program implementation by an
454 independent actuarial consultant. In no event shall such
455 reimbursement rates exceed the Medicaid rate. The plan must also
456 provide that any hospitals owned and operated by government
457 entities on or after the effective date of this act must, as a
458 condition of receiving funds under this subsection, afford
459 public access equal to that provided under s. 286.011 as to any
460 meeting of the governing board, agency, or authority the subject
461 of which is budgeting resources for the retention of charity
462 care, as that term is defined in the rules of the Agency for
463 Health Care Administration. The plan shall also include
464 innovative health care programs that provide cost-effective
465 alternatives to traditional methods of service and delivery
466 funding.



CS/CS/HB 479, Engrossed 1

2014

467 3. The plan's benefits shall be made available to all
468 county residents currently eligible to receive health care
469 services as indigents or medically poor as defined in paragraph
470 (4) (d).

471 4. Eligible residents who participate in the health care
472 plan shall receive coverage for a period of 12 months or the
473 period extending from the time of enrollment to the end of the
474 current fiscal year, per enrollment period, whichever is less.

475 5. At the end of each fiscal year, the governing board,
476 agency, or authority shall prepare an audit that reviews the
477 budget of the plan, delivery of services, and quality of
478 services, and makes recommendations to increase the plan's
479 efficiency. The audit shall take into account participant
480 hospital satisfaction with the plan and assess the amount of
481 poststabilization patient transfers requested, and accepted or
482 denied, by the county public general hospital.

483 Section 7. Subsection (6) of section 394.9085, Florida
484 Statutes, is amended to read:

485 394.9085 Behavioral provider liability.—

486 (6) For purposes of this section, the terms
487 "detoxification services," "addictions receiving facility," and
488 "receiving facility" have the same meanings as those provided in
489 ss. 397.311(22)(a)4. ~~397.311(18)(a)4.~~, 397.311(22)(a)1.
490 ~~397.311(18)(a)1.~~, and 394.455(26), respectively.

491 Section 8. Subsection (8) of section 397.405, Florida
492 Statutes, is amended to read:



493 397.405 Exemptions from licensure.—The following are
494 exempt from the licensing provisions of this chapter:

495 (8) A legally cognizable church or nonprofit religious
496 organization or denomination providing substance abuse services,
497 including prevention services, which are solely religious,
498 spiritual, or ecclesiastical in nature. A church or nonprofit
499 religious organization or denomination providing any of the
500 licensed service components itemized under s. 397.311(22)
501 ~~397.311(18)~~ is not exempt from substance abuse licensure but
502 retains its exemption with respect to all services which are
503 solely religious, spiritual, or ecclesiastical in nature.

504
505 The exemptions from licensure in this section do not apply to
506 any service provider that receives an appropriation, grant, or
507 contract from the state to operate as a service provider as
508 defined in this chapter or to any substance abuse program
509 regulated pursuant to s. 397.406. Furthermore, this chapter may
510 not be construed to limit the practice of a physician or
511 physician assistant licensed under chapter 458 or chapter 459, a
512 psychologist licensed under chapter 490, a psychotherapist
513 licensed under chapter 491, or an advanced registered nurse
514 practitioner licensed under part I of chapter 464, who provides
515 substance abuse treatment, so long as the physician, physician
516 assistant, psychologist, psychotherapist, or advanced registered
517 nurse practitioner does not represent to the public that he or
518 she is a licensed service provider and does not provide services



CS/CS/HB 479, Engrossed 1

2014

519 to individuals pursuant to part V of this chapter. Failure to
520 comply with any requirement necessary to maintain an exempt
521 status under this section is a misdemeanor of the first degree,
522 punishable as provided in s. 775.082 or s. 775.083.

523 Section 9. Section 397.416, Florida Statutes, is amended
524 to read:

525 397.416 Substance abuse treatment services; qualified
526 professional.—Notwithstanding any other provision of law, a
527 person who was certified through a certification process
528 recognized by the former Department of Health and Rehabilitative
529 Services before January 1, 1995, may perform the duties of a
530 qualified professional with respect to substance abuse treatment
531 services as defined in this chapter, and need not meet the
532 certification requirements contained in s. 397.311(30)
533 ~~397.311(26)~~.

534 Section 10. Paragraphs (d) and (g) of subsection (1) of
535 section 440.102, Florida Statutes, are amended to read:

536 440.102 Drug-free workplace program requirements.—The
537 following provisions apply to a drug-free workplace program
538 implemented pursuant to law or to rules adopted by the Agency
539 for Health Care Administration:

540 (1) DEFINITIONS.—Except where the context otherwise
541 requires, as used in this act:

542 (d) "Drug rehabilitation program" means a service
543 provider, established pursuant to s. 397.311(39) ~~397.311(33)~~,
544 that provides confidential, timely, and expert identification,



CS/CS/HB 479, Engrossed 1

2014

545 assessment, and resolution of employee drug abuse.

546 (g) "Employee assistance program" means an established
547 program capable of providing expert assessment of employee
548 personal concerns; confidential and timely identification
549 services with regard to employee drug abuse; referrals of
550 employees for appropriate diagnosis, treatment, and assistance;
551 and followup services for employees who participate in the
552 program or require monitoring after returning to work. If, in
553 addition to the above activities, an employee assistance program
554 provides diagnostic and treatment services, these services shall
555 in all cases be provided by service providers pursuant to s.
556 397.311(39) ~~397.311(33)~~.

557 Section 11. This act shall take effect July 1, 2014.