

A bill to be entitled

An act relating to mental health and substance abuse; amending s. 402.7306, F.S., to add mental health and substance abuse providers; and specify that the three-year limit applies to licensure and programmatic monitoring.

Be It Enacted by the legislature of the State of Florida:

Section 1. Section 402.7306, Florida Statutes, is amended to read:

402.7306 Legislative intent with respect to child welfare, mental health and substance abuse services. - It is the intent of the Legislature to:

(2) Administrative monitoring for child welfare, mental health and substance abuse providers.- The Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, and community-based care lead agencies and their contracted agents shall identify and implement changes that improve the efficiency of administrative monitoring of child welfare, mental health and substance abuse services. To assist with that goal, each such agency shall adopt the following policies:

(4) Limit administrative, licensure and programmatic monitoring to once every 3 years if the child welfare, mental health or substance abuse provider is accredited by the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, or the Council on Accreditation of Children and Family Services. If the accrediting body does not require documentation that the state agency requires, that documentation shall be requested by the state agency and may be posted by the provider on the data warehouse for the agency's review. Notwithstanding the survey or inspection of an accrediting organization specified in this subsection, an agency specified in

and subject to this section may continue to monitor the provider as necessary with respect to:

(a) Ensuring that services for which the agency is paying are being provided.

(b) Investigating complaints and monitoring the provider's compliance with any resulting negotiated terms and conditions, including provisions relating to consent decrees that are unique to a specific service and are not statements of general applicability.

(c) Ensuring compliance with federal and state laws, federal regulations, or state rules if such monitoring does not duplicate the accrediting organization's review pursuant to accreditation standards.

Section 2. Effective Date: Upon becoming law.