

STATE BOARD OF EDUCATION
Consent Item
May 16, 2017

SUBJECT: Approval of Amendment to Rule 6A-10.051, Approval of Treatment Providers by the Recovery Network Program

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1012.798(12), F.S.

EXECUTIVE SUMMARY

This amendment updates and clarifies the requirements for a treatment provider to be approved by the Recovery Network Program; requires a treatment provider to execute the Recovery Network Program Contract; and establishes criteria for the recession of approval of a treatment provider by the Recovery Network Program.

Supporting Documentation Included: Proposed Rule 6A-10.051, F.A.C

Facilitator: Marian Lambeth, Chief, Office of Professional Practices Services

Substantial rewording of Rule 6A-10.051 follows. See Florida Administrative Code for present text.

6A-10.051 Approval of ~~Treatment Programs and Treatment Providers~~ by the Recovery Network Program.

(1) Treatment providers for the Recovery Network Program must be approved by the Recovery Network

Program to treat or evaluate participants in the program and shall be either:

(a) Individual treatment providers; or

(b) Treatment programs.

(2) The Recovery Network Program shall approve an individual treatment provider if the individual treatment provider meets the following criteria:

(a) Is certified by a state-approved certification board, state licensed, or nationally certified, with the certification or licensure being in treatment for the specific impairment identified;

(b) Has at least three (3) years of experience;

(c) Executes a contract, Form # RNP-2, adopted by Rule 6A-10.053, F.A.C., with the participant and the Recovery Network Program; and

(d) Agrees to provide, at minimum, monthly progress reports regarding treatment of the participant for submission to the Recovery Network Program.

(3) The Recovery Network Program shall approve a treatment program if the treatment program:

(a) Is a state-licensed clinical setting, and if not located in the State of Florida, the treatment program must be nationally accredited and meet all requirements for licensure in the state where located;

(b) Submits one of the following to the Recovery Network Program:

1. Proof of accreditation by the Joint Commission on Accreditation of Health Care Organizations (JCAHCO) including the JCAHCO report of the program;

2. Proof of accreditation by the Council on Accreditation of Rehabilitation Facilities; or

3. Proof of licensure, appropriate for each specific impairment identified for treatment, under Chapters 394, 395, or 397, Florida Statutes.

(c) Executes a contract, Form # RNP-2, adopted by Rule 6A-10.053, F.A.C., with the participant and the Recovery Network Program; and

(d) Agrees to provide, at minimum, monthly written progress reports regarding treatment to the participant.

(4) The Recovery Network Program shall rescind approval of a treatment provider if the treatment provider:

(a) Fails to maintain all qualifications required by subsections (2) and (3) of this rule;

(b) Fails on two (2) occasions to comply with the terms of any contract entered into with a participant and the Recovery Network Program in accordance with this rule;

(c) Fails on two (2) occasions to provide a participant with, at minimum, a monthly written progress report regarding treatment;

(d) Fails on two (2) occasions to ensure that participants under the treatment provider's care receive treatment that meets or exceeds the standard of care required by law and by professional standards of practice;

(e) Receives a suspension, revocation, or other discipline resulting in the restriction of the scope of practice of a license, certification, or accreditation that is required for approval of the treatment provider pursuant to subsections (2) and (3) of this rule that limits the ability to provide services;

(f) Receives three (3) instances of disciplinary action of any kind against its license, certification, or accreditation that is required for approval of the treatment provider pursuant to subsections (2) and (3) of this rule;

(g) Has charged participant fees for services in excess of the reasonable, prevailing fees and charges for the same or similar services in the provider's local area;

(h) Has charged participant fees for services in excess of those outlined by the treatment provider's fee schedule provided to the participant and the Recovery Network Program in accordance with Rule 6A-10.053, F.A.C.; or

(i) Fails on two (2) occasions to contact a participant or the Recovery Network Program within two (2) business days of receiving an inquiry.

Rulemaking Authority 1001.02(1), 1012.798(12) FS. Law Implemented 1012.798 FS. History—New 1-9-95; Amended