

RESOLUTION NO. 2017-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, SUPPORTING THE FINDINGS AND RECOMMENDATIONS OF THE PALM BEACH COUNTY SOBER HOMES TASK FORCE REPORT AND THE PALM BEACH COUNTY GRAND JURY AND URGING SUPPORT OF SENATE BILL 788 AND HOUSE BILL 807; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO GOVERNOR RICK SCOTT, THE FLORIDA SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE FLORIDA PRESIDENT OF THE SENATE, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE FLORIDA LEAGUE OF CITIES, AND THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2016, the Office of the State Attorney, Fifteenth Judicial Circuit in and for Palm Beach County, convened the Palm Beach County Sober Homes Task Force whose mission included addressing substance abuse treatment, fostering the protection of vulnerable consumers, and elevating the standards and practices of the recovery industry; and

WHEREAS, on January 1, 2017, the Palm Beach County Sober Homes Task Force issued a report entitled "Identification of Problems in the Substance Abuse Treatment and Recovery Residence Industries with Recommended Changes to Existing Laws and Regulations" (Exhibit A); and

WHEREAS, the report includes numerous recommendations regarding recovery residences and, in particular, recommends that the Florida Legislature create a statutory structure that adequately funds the Department of Children and Families (DCF), funds a credentialing entity for commercial recovery residences (currently the Florida Association of Recovery Residences), and gives DCF the authority to effectively regulate and license these businesses; and

WHEREAS, in 2016, the Office of the State Attorney, Fifteenth Judicial Circuit in and for Palm Beach County, called for a Grand Jury to investigate how government

agencies are addressing the proliferation of fraud and abuse occurring within the addiction treatment industry. The Grand Jury was further asked to make appropriate findings and recommendations on how these agencies can better perform their duties to ensure that communities remain safe and individuals with substance use disorders are protected; and

WHEREAS, on December 8, 2016, the Grand Jury presented a report entitled "Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment Industry" (Exhibit B); and

WHEREAS, Page 34 of the Report provides a summary of recommendations, which includes 16 total recommendations; and

WHEREAS, Florida Senate Bill 788 and House Bill 807 have been introduced to the State Legislature relating to Marketing Practices for Substance Abuse Services authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute patient brokering offenses; providing that an application for the disclosure of an individual's records may be filed as part of an active criminal investigation; requiring a person or entity to obtain a license from the Department of Business and Professional Regulation before attempting to generate referrals or leads for the placement of patients with a service provider or in a recovery residence; and providing that it is unlawful for a person to offer or pay, or solicit or receive, benefits under certain circumstances; and

WHEREAS, it is in the best interest of the public for the recommendations contained in the Sober Homes Task Force and Grand Jury reports to be implemented and to support Florida Senate Bill 788 and House Bill 807.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and incorporated herein.

Section 2: That the City Commission of the City of Coconut Creek hereby urges the Florida Legislature and Governor Rick Scott to vigorously pursue and implement the recommendations put forth in the Palm Beach County's Sober Homes Task Force report, entitled "Identification of Problems in the Substance Abuse Treatment and Recovery Residence Industries with Recommended Changes to Existing Laws and Regulations," and the recommendations put for the in the Grand Jury's report, entitled "Report on the Proliferations of Fraud and Abuse in Florida's Addiction Treatment Industry," and to support Florida Senate Bill 788 and House Bill 807.

Section 3: That the City Commission hereby directs the City Clerk to provide a copy of this Resolution to Governor Rick Scott, the Speaker of the House, the President of the Senate, the Broward County Legislative Delegation, the Florida League of Cities, and the Broward League of Cities.

Section 4: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 9th day of March, 2017.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, City Clerk

Belvedere Aye

Rydell Aye

Sarbone Aye

Tooley Aye

Welch Aye