

1                                   A bill to be entitled  
 2           An act relating to involuntary admission to  
 3           residential services; amending s. 393.11, F.S.;  
 4           requiring the Agency for Persons with Disabilities to  
 5           contract with a qualified evaluator to conduct a  
 6           review of the status of persons involuntarily admitted  
 7           to residential services provided by the agency;  
 8           requiring a review of such placements by the court at  
 9           a hearing; requiring the agency to provide a copy of  
 10          the review and reasonable notice of the hearing to  
 11          specified persons; defining the term "qualified  
 12          evaluator"; providing an appropriation; providing an  
 13          effective date.

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

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 17           Section 1. Subsection (14) is added to section 393.11,  
 18 Florida Statutes, to read:

19           393.11 Involuntary admission to residential services.—  
 20           (14) REVIEW OF CONTINUED INVOLUNTARY ADMISSION TO  
 21 RESIDENTIAL SERVICES.—If a person is involuntarily admitted to  
 22 residential services provided by the agency, the agency shall  
 23 contract with a qualified evaluator to conduct a review  
 24 annually, unless otherwise ordered, to determine the propriety  
 25 of the person's continued involuntary admission to residential  
 26 services based on the criteria in paragraph (8) (b). The review

27 shall include an assessment of the most appropriate and least  
28 restrictive type of residential placement for the person. A  
29 placement resulting from an involuntary admission to residential  
30 services must be reviewed by the court at a hearing annually,  
31 unless a shorter review period is ordered at a previous hearing.  
32 The agency shall provide to the court the completed reviews by  
33 the qualified evaluator. The review and hearing must determine  
34 whether the person continues to meet the criteria in paragraph  
35 (8)(b) and, if so, whether the person still requires involuntary  
36 placement in a residential setting and whether the person is  
37 receiving adequate care, treatment, habilitation, and  
38 rehabilitation in the residential setting. The agency shall  
39 provide a copy of the review and reasonable notice of the  
40 hearing to the appropriate state attorney, if applicable, the  
41 person's attorney, and the person's guardian or guardian  
42 advocate, if appointed. For purposes of this section, the term  
43 "qualified evaluator" means a licensed psychologist who has  
44 demonstrated to the court an expertise in the diagnosis,  
45 evaluation, and treatment of persons who have intellectual  
46 disabilities.

47 Section 2. For the 2016-2017 fiscal year, the sum of  
48 \$623,200 in nonrecurring funds from the General Revenue Fund is  
49 appropriated to the Agency for Persons with Disabilities for the  
50 purpose of implementing this act.

51 Section 3. This act shall take effect July 1, 2016.