

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           employ or contract with a qualified evaluator to  
 6           conduct a review of the status of persons  
 7           involuntarily admitted to residential services  
 8           provided by the agency; requiring a review of such  
 9           placements by the court at a hearing; requiring the  
 10          agency to provide a copy of the review and reasonable  
 11          notice of the hearing to specified persons; defining  
 12          the term "qualified evaluator"; providing an  
 13          appropriation; providing an 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 employ or, if necessary, contract with a qualified evaluator to  
 24 conduct a review annually, unless otherwise ordered, to  
 25 determine the propriety of the person's continued involuntary  
 26 admission to residential services based on the criteria in

27 paragraph (8)(b). The review shall include an assessment of the  
28 most appropriate and least restrictive type of residential  
29 placement for the person. A placement resulting from an  
30 involuntary admission to residential services must be reviewed  
31 by the court at a hearing annually, unless a shorter review  
32 period is ordered at a previous hearing. The agency shall  
33 provide to the court the completed reviews by the qualified  
34 evaluator. The review and hearing must determine whether the  
35 person continues to meet the criteria in paragraph (8)(b) and,  
36 if so, whether the person still requires involuntary placement  
37 in a residential setting and whether the person is receiving  
38 adequate care, treatment, habilitation, and rehabilitation in  
39 the residential setting. The agency shall provide a copy of the  
40 review and reasonable notice of the hearing to the appropriate  
41 state attorney, if applicable, the person's attorney, and the  
42 person's guardian or guardian advocate, if appointed. For  
43 purposes of this section, the term "qualified evaluator" means a  
44 psychiatrist licensed under chapter 458 or chapter 459, or a  
45 psychologist licensed under chapter 490, who has demonstrated to  
46 the court an expertise in the diagnosis, evaluation, and  
47 treatment of persons who have intellectual disabilities.

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

52 Section 3. This act shall take effect upon becoming a law.