

1 A bill to be entitled
2 An act relating to behavioral health of minors;
3 amending s. 394.463, F.S.; revising deadlines for
4 submission of documentation regarding involuntary
5 examinations; amending s. 1012.583, F.S.; revising
6 responsibilities of the Department of Education and
7 the Statewide Office for Suicide Prevention; revising
8 criteria for designation as a Suicide Prevention
9 Certified School; requiring Internet posting of
10 certain information regarding such schools; providing
11 an effective date.

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

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15 Section 1. Paragraph (a) of subsection (2) of section
16 394.463, Florida Statutes, is amended to read:

17 394.463 Involuntary examination.—

18 (2) INVOLUNTARY EXAMINATION.—

19 (a) An involuntary examination may be initiated by any one
20 of the following means:

21 1. A circuit or county court may enter an ex parte order
22 stating that a person appears to meet the criteria for
23 involuntary examination and specifying the findings on which
24 that conclusion is based. The ex parte order for involuntary
25 examination must be based on written or oral sworn testimony

26 | that includes specific facts that support the findings. If other
27 | less restrictive means are not available, such as voluntary
28 | appearance for outpatient evaluation, a law enforcement officer,
29 | or other designated agent of the court, shall take the person
30 | into custody and deliver him or her to an appropriate, or the
31 | nearest, facility within the designated receiving system
32 | pursuant to s. 394.462 for involuntary examination. The order of
33 | the court shall be made a part of the patient's clinical record.
34 | A fee may not be charged for the filing of an order under this
35 | subsection. A facility accepting the patient based on this order
36 | must send a copy of the order to the department within 5 ~~the~~
37 | ~~next~~ working days ~~day~~. The order may be submitted electronically
38 | through existing data systems, if available. The order shall be
39 | valid only until the person is delivered to the facility or for
40 | the period specified in the order itself, whichever comes first.
41 | If no time limit is specified in the order, the order shall be
42 | valid for 7 days after the date that the order was signed.

43 | 2. A law enforcement officer shall take a person who
44 | appears to meet the criteria for involuntary examination into
45 | custody and deliver the person or have him or her delivered to
46 | an appropriate, or the nearest, facility within the designated
47 | receiving system pursuant to s. 394.462 for examination. The
48 | officer shall execute a written report detailing the
49 | circumstances under which the person was taken into custody,
50 | which must be made a part of the patient's clinical record. Any

51 facility accepting the patient based on this report must send a
52 copy of the report to the department within 5 ~~the next~~ working
53 days ~~day~~.

54 3. A physician, clinical psychologist, psychiatric nurse,
55 mental health counselor, marriage and family therapist, or
56 clinical social worker may execute a certificate stating that he
57 or she has examined a person within the preceding 48 hours and
58 finds that the person appears to meet the criteria for
59 involuntary examination and stating the observations upon which
60 that conclusion is based. If other less restrictive means, such
61 as voluntary appearance for outpatient evaluation, are not
62 available, a law enforcement officer shall take into custody the
63 person named in the certificate and deliver him or her to the
64 appropriate, or nearest, facility within the designated
65 receiving system pursuant to s. 394.462 for involuntary
66 examination. The law enforcement officer shall execute a written
67 report detailing the circumstances under which the person was
68 taken into custody. The report and certificate shall be made a
69 part of the patient's clinical record. Any facility accepting
70 the patient based on this certificate must send a copy of the
71 certificate to the department within 5 ~~the next~~ working days
72 ~~day~~. The document may be submitted electronically through
73 existing data systems, if applicable.

74 Section 2. Section 1012.583, Florida Statutes, is amended
75 to read:

76 1012.583 Continuing education and inservice training for
 77 youth suicide awareness and prevention.—

78 (1) By July 1, 2019 ~~Beginning with the 2016-2017 school~~
 79 ~~year,~~ the Department of Education, in consultation with the
 80 Statewide Office for Suicide Prevention and suicide prevention
 81 experts, shall develop a list of approved youth suicide
 82 awareness and prevention training materials and suicide
 83 screening instruments that may be used for training in youth
 84 suicide awareness, suicide ~~and~~ prevention, and suicide screening
 85 for instructional personnel in elementary school, middle school,
 86 and high school. The approved list of materials:

87 (a) Must identify available standardized suicide screening
 88 instruments appropriate for use with a school-age population and
 89 which have validity and reliability and include information
 90 about obtaining instruction in the administration and use of
 91 such instruments.

92 (b) ~~(a)~~ Must include training on how to identify
 93 appropriate mental health services and how to refer youth and
 94 their families to those services.

95 (c) ~~(b)~~ May include materials currently being used by a
 96 school district if such materials meet any criteria established
 97 by the department.

98 (d) ~~(e)~~ May include programs that instructional personnel
 99 can complete through a self-review of approved youth suicide
 100 awareness and prevention materials.

101 (2) A school ~~that chooses to incorporate 2 hours of~~
102 ~~training offered pursuant to this section~~ shall be considered a
103 "Suicide Prevention Certified School-~~r~~" if it:

104 (a) Incorporates 2 hours of training offered pursuant to
105 this section. The training must be included in the existing
106 continuing education or inservice training requirements for
107 instructional personnel and may not add to the total hours
108 currently required by the department. A school that chooses to
109 participate in the training must require all instructional
110 personnel to participate.

111 (b) Has at least two school-based staff members certified
112 or otherwise deemed competent in the use of a suicide screening
113 instrument approved pursuant to paragraph (1) (a) and has a
114 policy to use such suicide risk screening instrument to evaluate
115 a student's suicide risk before requesting the initiation of, or
116 initiating, an involuntary examination due to concerns about
117 that student's suicide risk.

118 (3) A school that meets the criteria in subsection (2)
119 ~~participates in the suicide awareness and prevention training~~
120 ~~pursuant to this section~~ must report its compliance
121 ~~participation~~ to the department. The department shall keep an
122 updated record of all Suicide Prevention Certified Schools and
123 shall post the list of these schools on the department's
124 website. Each school shall also post on its own website whether
125 it is a Suicide Prevention Certified School, and each school

126 | district shall post on its district website a list of the
127 | suicide prevention certified schools in that district.

128 | (4) A person has no cause of action for any loss or damage
129 | caused by an act or omission resulting from the implementation
130 | of this section or resulting from any training required by this
131 | section unless the loss or damage was caused by willful or
132 | wanton misconduct. This section does not create any new duty of
133 | care or basis of liability.

134 | (5) The State Board of Education may adopt rules to
135 | implement this section.

136 | Section 3. This act shall take effect July 1, 2019.