

Bill No. HB 2003, 1st Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Diaz-Balart moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 27, between lines 10 and 11,

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16 insert:

17 Section 19. (1) The Department of Children and Family
18 Services shall develop written cooperative agreements with the
19 judicial system, the criminal justice system, and local mental
20 health providers in each district of the Department of
21 Children and Family Services which define strategies and
22 community alternatives within current statutory authority and
23 existing resources for diverting from the criminal justice
24 system to the civil system under the Baker Act persons with
25 mental illness who are arrested for a misdemeanor. Persons who
26 have been convicted of a violation of chapter 794, chapter
27 800, chapter 827, or chapter 847, Florida Statutes, or
28 convicted of a similar offense in a foreign jurisdiction, when
29 the victim was under 18 years of age, shall not be diverted
30 from the criminal justice system to the mental health system
31 under these strategies or alternatives. At a minimum, the

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1 district diversion strategies must consider:

2 (a) Prebooking or postbooking interventions;

3 (b) Ways in which mental health professionals may
4 assist law enforcement agencies with difficult mental health
5 cases;

6 (c) Information-sharing among community entities
7 regarding persons with mental illness who are frequently
8 arrested for misdemeanors, in order to improve early
9 identification and treatment of these persons;

10 (d) Referral of misdemeanant clients to appropriate
11 aftercare services upon release from jail or a facility that
12 receives clients under the Baker Act;

13 (e) Provision of appropriate psychotropic medications
14 to misdemeanant clients for a reasonable number of days
15 following discharge from jail or a facility that receives
16 clients under the Baker Act; and

17 (f) Provision of intensive case-management services to
18 the appropriate misdemeanant clients.

19

20 For the purpose of uniformity, each district must work with
21 the central program office to develop and include an analysis
22 of the client population and client movement, an analysis of
23 available and unavailable resources, and, consistent with
24 section 216.0166, Florida Statutes, the identification of key
25 indicators that will measure the impact of these strategies on
26 the clients and on the community systems. The department must
27 complete the district diversion strategies, client data
28 analysis, and identification of key indicators and submit a
29 copy to the Louis de la Parte Florida Mental Health Institute
30 by October 1, 1999.

31 (2) The Louis de la Parte Florida Mental Health

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1 Institute at the University of South Florida shall review the
2 state's district diversion strategies developed by the
3 department, as well as cost-effective strategies being used in
4 communities in other states, to divert misdemeanants from the
5 criminal justice system to the mental health system. Based on
6 this review, the Institute must recommend those diversion
7 strategies and treatment activities used by Florida or other
8 states which have proven to be the most effective in meeting
9 performance standards, including those identified pursuant to
10 section 216.0166, Florida Statutes, with the misdemeanor
11 population. The review must include details about the cost
12 savings that are associated with those programs and must
13 explain how those long-term or short-term cost savings are
14 achieved. The Institute shall submit a final report on its
15 findings, conclusions, and recommendations to the President of
16 the Senate and Speaker of the House of Representatives by
17 January 1, 2001. The report must specify what results can be
18 expected based on the current level of resources, as well as
19 specify additional resources that are needed to adequately
20 serve the misdemeanor population. A preliminary report on the
21 status of the review must be submitted to the President of the
22 Senate and Speaker of the House of Representatives on January
23 1, 2000.

24 Section 20. The Florida Department of Law Enforcement
25 and the Department of Children and Family Services shall
26 jointly evaluate the extent and effectiveness of current
27 training curricula and training efforts provided by the
28 Criminal Justice Standards and Training Commission under
29 section 943.17, Florida Statutes, and the Department of
30 Children and Family Services under part I of chapter 394,
31 Florida Statutes, for law enforcement officers in identifying

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1 mental illness and shall make recommendations for improvements
2 to the head of each department. The Florida Department of Law
3 Enforcement and the Department of Children and Family Services
4 shall prepare a joint report that includes the findings and
5 recommendations by December 31, 1999.

6 Section 21. The Department of Children and Family
7 Services, in consultation with the Office of the State Courts
8 Administrator, shall contract with the Louis de la Parte
9 Florida Mental Health Institute to study the concept of
10 increasing court jurisdiction and supervision over persons
11 with mental illness who are arrested for or convicted of a
12 misdemeanor to assure compliance with an approved
13 individualized treatment or service plan. The study shall
14 focus on whether extending court jurisdiction would enhance
15 mental stability of persons with mental illness in order for
16 them to live in the community, function at their optimal
17 level, and not be involved in any type of criminal behavior.
18 The Department of Children and Family Services shall prepare a
19 report by December 31, 1999, which includes recommendations
20 for statutory changes or departmental policy changes that do
21 not require statutory revisions.

22 Section 22. The district forensic coordinators of the
23 Department of Children and Family Services shall assess the
24 provision of in-jail mental health diagnostic and treatment
25 services. The department shall prepare a report of its
26 findings, conclusions, and recommendations by December 31,
27 1999, including any proposed statutory revisions.

28 Section 23. The reports that are required in sections
29 20, 21, and 22 of this act to be prepared by the Department of
30 Children and Family Services, including the joint report in
31 section 20, must be submitted in one report to the President

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1 of the Senate and Speaker of the House of Representatives by
2 December 31, 1999.

3 Section 24. The Louis de la Parte Florida Mental
4 Health Institute shall evaluate the effectiveness of the
5 specialized mental health court established in Broward County
6 to determine client and system outcomes and cost efficiencies
7 and shall make recommendations for establishing similar
8 special courts in other judicial circuits. This evaluation
9 must include tracking clients for 1 year following release
10 from the Broward County jail by the special mental health
11 court and from a county jail without a special mental health
12 court. The Louis de la Parte Florida Mental Health Institute
13 shall report to the President of the Senate and Speaker of the
14 House of Representatives on the findings of the evaluation,
15 including recommendations for any statutory revisions, by
16 October 1, 2000.

17 Section 25. For the purpose of implementing the
18 requirements of sections 19, 21, and 24 of this act, the sum
19 of \$100,000 is appropriated from the General Revenue Fund to
20 the Department of Children and Family Services for the
21 1999-2000 fiscal year. The department may not use more than
22 \$20,000 of the appropriation for the purpose of implementing
23 the requirements of section 19.

24
25 (Redesignate subsequent sections.)

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 2, line 26, after the second semicolon,

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1 insert:
2 directing the Department of Children and Family
3 Services to develop cooperative agreements with
4 local agencies for diverting from the criminal
5 justice system to the civil mental health
6 system persons with mental illness arrested for
7 a misdemeanor; directing the Louis de la Parte
8 Florida Mental Health Institute at the
9 University of South Florida to report to the
10 Legislature on cost-effective diversion
11 strategies; directing the Department of Law
12 Enforcement and the Department of Children and
13 Family Services to jointly review training
14 curricula for law enforcement officers and to
15 recommend improvements to the Legislature;
16 directing the Department of Children and Family
17 Services to contract with the Louis de la Parte
18 Florida Mental Health Institute to review court
19 jurisdiction over persons with mental illness
20 who are arrested for or convicted of a
21 misdemeanor and to recommend policy changes to
22 the Legislature; directing the district
23 forensic coordinators in the Department of
24 Children and Family Services to assess the
25 provision of in-jail mental health services and
26 report to the Legislature; directing the Louis
27 de la Parte Florida Mental Health Institute to
28 evaluate the specialized mental health court in
29 Broward County and report findings and
30 recommendations to the Legislature; directing
31 the Department of Children and Family Services

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to prepare a single report by a specified date;
providing an appropriation;