

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Governmental Operations offered the
12 following:

14 **Amendment (with title amendment)**

15 On page 5, lines 1-20,
16 remove from the bill: all of said lines
17
18 and insert in lieu thereof:

19 Section 4. Commission on Mental Health and Substance
20 Abuse.--

21 (1) FINDINGS.--The Legislature finds that: major
22 changes and improvements have occurred in how mental health
23 and substance abuse services are planned, purchased,
24 delivered, coordinated, and accounted for; the management of
25 the state's substance abuse and mental health services system
26 delineated in part IV of chapter 394, Florida Statutes, has
27 not been systematically reviewed and updated in over 15 years;
28 and the management of the state-supported mental health and
29 substance abuse system has not kept pace with improvements in
30 the field, thereby diminishing the potential efficacy of its
31 investment in mental health services and substance abuse

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1 services. Therefore, it is the intent of the Legislature that
2 a systematic review of the overall management of the state's
3 mental health and substance abuse system be conducted and that
4 recommendations for updating part IV of chapter 394, Florida
5 Statutes, and other related statutes be formulated.

6 (2) CREATION.--There is created, within the Department
7 of Children and Family Services, the Commission on Mental
8 Health and Substance Abuse.

9 (3) DUTIES.--The duties of the Commission on Mental
10 Health and Substance Abuse include the following:

11 (a) Conducting a review and evaluation of the
12 management and functioning of the existing publicly supported
13 mental health and substance abuse systems and services in the
14 Department of Children and Family Services, the Agency for
15 Health Care Administration, and all other departments which
16 administer mental health and substance abuse services. Such
17 review shall include, at a minimum, a review of current goals
18 and objectives, current planning, services strategies,
19 coordination management, purchasing, contracting, financing,
20 local government funding responsibility, and accountability
21 mechanisms. The commission shall coordinate its activities and
22 recommendations with the Office of Drug Control within the
23 Executive Office of the Governor.

24 (b) Addressing the unique mental health and substance
25 abuse needs of older persons shall be an integral component of
26 the duties of the commission as specified in paragraph (a).

27 (c) Addressing access to, and financing of, and scope
28 of responsibility in the delivery of emergency behavioral
29 health care services.

30 (d) Addressing the quality and effectiveness of
31 current mental health and substance abuse services delivery

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1 systems, and professional staffing and clinical structure of
2 services, roles, and responsibilities of public and private
3 providers, such as community mental health centers, community
4 substance abuse agencies, hospitals, including emergency
5 services departments, law enforcement, and the judicial
6 system.

7 (e) Addressing priority population groups for publicly
8 funded mental health and substance abuse services, a
9 description of the comprehensive mental health and substance
10 abuse delivery systems, district mental health and substance
11 abuse needs assessment and planning activities, and local
12 government responsibilities for funding mental health and
13 substance abuse services.

14 (f) Formulating recommendations to the Governor and
15 Legislature regarding the mission and objectives of
16 state-supported mental health and substance abuse services and
17 the planning, management, staffing, financing, contracting,
18 coordination, and accountability mechanisms which will best
19 foster the recommended mission and objectives.

20 (4) MEMBERSHIP.--The commission shall be composed of
21 23 members.

22 (a) One member shall be a member of the Senate and
23 shall be appointed by the Senate President.

24 (b) One member shall be a member of the House of
25 Representatives and shall be appointed by the Speaker of the
26 House of Representatives.

27 (c) One member shall be the Secretary of Children and
28 Family Services or his or her designee.

29 (d) One member shall be the Secretary of Health or his
30 or her designee.

31 (e) One member shall be the Director of Health Care

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- 1 Administration or his or her designee.
2 (f) The following members shall be appointed by the
3 Governor:
4 1. One consumer of publicly funded mental health or
5 substance abuse services.
6 2. One family member of a consumer of publicly funded
7 mental health or substance abuse services.
8 3. One representative of county government.
9 4. One representative of the Florida Mental Health
10 Institute.
11 5. One corporate employer of a corporation which
12 provides mental health and substance abuse benefits to
13 employees but is not in the business of providing mental
14 health or substance abuse services.
15 6. One representative of an acute care hospital with
16 psychiatric beds or a mental health program.
17 7. One representative of a community mental health
18 provider.
19 8. One representative of a community substance abuse
20 provider.
21 9. A licensed psychiatrist working within the mental
22 health or substance abuse delivery system.
23 10. A licensed psychologist working within the mental
24 health or substance abuse delivery system.
25 11. Two other licensed mental health or substance
26 abuse professionals.
27 12. An emergency room physician.
28 13. One representative of an insurer offering
29 behavioral and physical health insurance benefits.
30 14. One representative of a specialty hospital
31 licensed pursuant to chapter 395, Florida Statutes, providing

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1 mental health care and addictive services.
2 15. One representative from law enforcement.
3 16. One representative from the judicial system.
4 17. One representative of a child welfare agency
5 involved in the delivery of behavioral health services.
6 (5) ADVISORY COMMITTEES.--The commission shall appoint
7 at least one advisory committee representative of all state
8 agencies involved in the delivery of mental health and
9 substance abuse services, and consumers, family members of
10 consumers, and current providers of public mental health or
11 substance abuse services.
12 (6) STAFF.--The Department of Children and Family
13 Services shall appoint an executive director recommended by
14 the commission, who shall provide professional expertise and
15 arrange for required consultation, analysis, and secretarial
16 and clerical support for the commission. Additional staff
17 support shall be provided by the Department of Children and
18 Family Services.
19 (7) MEETINGS; REPORTS.--
20 (a) The commission shall conduct its first meeting no
21 later than September 1, 1999.
22 (b) The commission shall meet as often as necessary to
23 fulfill its responsibilities.
24 (c) Committees shall be assigned as needed, composed
25 of representatives of the commission and the advisory
26 committee and employees of the involved state agencies.
27 (d) All commission meetings shall be open to the
28 public and shall be held at various locations around the state
29 to facilitate public participation.
30 (e) The commission shall elect a chairperson from
31 among its members.

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1 (f) The commission shall, as one of its first duties,
2 adopt rules of procedure, which shall, at a minimum, include a
3 requirement that the recommendations of the commission be
4 adopted by at least two-thirds of those commission members
5 present.

6 (g) The commission shall submit an interim report to
7 the Governor, the President of the Senate, and the Speaker of
8 the House of Representatives no later than March 1, 2000.

9 (h) A final report with recommendations, including any
10 modifications to current law, shall be submitted to the
11 Governor, the President of the Senate, and the Speaker of the
12 House of Representatives no later than December 1, 2000.

13 (i) Authorization for the Commission on Mental Health
14 and Substance Abuse expires effective May 15, 2001.

15 Section 5. There is appropriated for each of fiscal
16 years 1999-2000 and 2000-2001 the sum of \$75,000 from the
17 General Revenue Fund and the sum of \$75,000 from
18 administrative funds available under Title XIX of the Social
19 Security Act (Medicaid), to the Department of Children and
20 Family Services to fund the Commission on Mental Health and
21 Substance Abuse.

22
23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, lines 11-14,
27 remove from the title of the bill: all of said lines

28
29 and insert in lieu thereof:

30 standards; creating the Commission on Mental
31 Health and Substance Abuse; providing duties;

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1 providing membership; providing for an advisory
2 committee; providing for staff support;
3 providing for meetings and organization;
4 requiring reports; providing for expiration;
5 providing appropriations; amending
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