

By the Committee on Elder Affairs & Long-Term Care and
Representative Hafner

1 A bill to be entitled
2 An act relating to mental health and substance
3 abuse services; amending s. 394.67, F.S.;
4 defining "older adult" with respect to the
5 Community Alcohol, Drug Abuse, and Mental
6 Health Services Act; creating s. 394.702, F.S.;
7 providing guiding principles for the service
8 planning process; amending s. 397.311, F.S.;
9 defining "older adult" with respect to
10 substance abuse services; amending ss. 397.416
11 and 440.102, F.S.; correcting cross references;
12 including certain older adults in the target
13 groups for substance abuse and mental health
14 services of the Department of Children and
15 Family Services; requiring the department to
16 track and report on providers of such services
17 to older adults; directing the department to
18 establish training in aging, mental health, and
19 substance abuse for providers, state agencies,
20 and others; authorizing the department to
21 accept grants for such training; directing the
22 department to establish public education and
23 outreach programs for mental health and
24 substance abuse treatment for older adults;
25 authorizing the department to accept grants for
26 such purposes; providing for older adult
27 interagency coordination of services
28 demonstration projects for provision of mental
29 health and substance abuse services to adults
30 age 60 and over; providing for evaluation of
31 demonstration projects; requiring a report;

1 providing an appropriation; providing an
2 effective date.

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

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6 Section 1. Subsections (15) through (20) of section
7 394.67, Florida Statutes, are renumbered as subsections (16)
8 through (21), respectively, and a new subsection (15) is added
9 to said section to read:

10 394.67 Definitions.--As used in this part, the term:

11 (15) "Older adult" means a person age 60 or older.

12 Section 2. Section 394.702, Florida Statutes, is
13 created to read:

14 394.702 Guiding principles for service planning.--The
15 following principles of the service planning process shall
16 guide the development of the publicly funded mental health and
17 substance abuse service delivery system:

18 (1) The system of care should be centered on the
19 client, with the needs and strengths of the client and his or
20 her family or support system dictating the types and mix of
21 services provided.

22 (2) Citizens who reflect the diversity of client
23 populations in terms of age, gender, ethnicity, and race
24 should be active participants in planning, selecting, and
25 delivering mental health and substance abuse services at the
26 local level, as well as in developing statewide policies for
27 older adult mental health and substance abuse services.

28 (3) Clients should receive individualized services,
29 guided by an individualized service plan, in accordance with
30 the unique needs and strengths of each client and his or her
31 family or support system.

1 (4) The system should include comprehensive screening,
2 assessment, internal case finding, and outreach to identify
3 citizens who are in need of mental health or substance abuse
4 services and should target known risk factors.

5 (5) Clients should receive services within the least
6 restrictive environment appropriate to the service needs and
7 quality of life of each client.

8 (6) Mental health and substance abuse programs and
9 services should support and strengthen families and support
10 systems, so that families or support systems can more
11 adequately meet the mental health and substance abuse services
12 needs of clients.

13 (7) Mental health and substance abuse services should
14 be provided in a manner which is sensitive and responsive to
15 the special needs that derive from the race, ethnicity,
16 gender, and age of the client.

17 Section 3. Subsections (21) through (30) of section
18 397.311, Florida Statutes, are renumbered as subsections (22)
19 through (31), respectively, and a new subsection (21) is added
20 to said section to read:

21 397.311 Definitions.--As used in this chapter, except
22 part VIII:

23 (21) "Older adult" means a person age 60 or older.

24 Section 4. Subsection (2) of section 397.416, Florida
25 Statutes, is amended to read:

26 397.416 Substance abuse treatment services; qualified
27 professional.--

28 (2) Notwithstanding any other provision of law, a
29 person who was certified through a certification process
30 recognized by the former Department of Health and
31 Rehabilitative Services before January 1, 1995, may perform

1 the duties of a qualified professional with respect to
2 substance abuse treatment services as defined in this chapter,
3 and need not meet the certification requirements contained in
4 s. 397.311~~(26)~~~~(25)~~.

5 Section 5. Paragraphs (d) and (g) of subsection (1) of
6 section 440.102, Florida Statutes, are amended to read:

7 440.102 Drug-free workplace program requirements.--The
8 following provisions apply to a drug-free workplace program
9 implemented pursuant to law or to rules adopted by the Agency
10 for Health Care Administration:

11 (1) DEFINITIONS.--Except where the context otherwise
12 requires, as used in this act:

13 (d) "Drug rehabilitation program" means a service
14 provider, established pursuant to s. 397.311~~(29)~~~~(28)~~, that
15 provides confidential, timely, and expert identification,
16 assessment, and resolution of employee drug abuse.

17 (g) "Employee assistance program" means an established
18 program capable of providing expert assessment of employee
19 personal concerns; confidential and timely identification
20 services with regard to employee drug abuse; referrals of
21 employees for appropriate diagnosis, treatment, and
22 assistance; and followup services for employees who
23 participate in the program or require monitoring after
24 returning to work. If, in addition to the above activities, an
25 employee assistance program provides diagnostic and treatment
26 services, these services shall in all cases be provided by
27 service providers pursuant to s. 397.311~~(29)~~~~(28)~~.

28 Section 6. Target groups.--The Department of Children
29 and Family Services shall revise its target groups for
30 substance abuse and mental health services approved pursuant
31 to s. 216.0166, Florida Statutes, to include "older adults in

1 crisis," "older adults who are at risk of being placed in a
2 more restrictive environment because of their mental illness
3 or substance abuse," "older adults with severe and persistent
4 mental illness," and "older adults in need of substance abuse
5 treatment." The department shall track and report specifically
6 on substance abuse and mental health services provided to
7 older adults.

8 Section 7. Substance abuse and mental health problems
9 among older adults; prevention and training program.--

10 (1) Individuals treating or serving adults age 60 and
11 over should have appropriate and ongoing training in aging,
12 mental health, and substance abuse. The Department of Children
13 and Family Services shall work with providers, licensure
14 boards, professional organizations, educators, and other state
15 agencies, including, but not limited to, the Department of
16 Elderly Affairs, the Department of Health, and the Agency for
17 Health Care Administration, to establish appropriate education
18 and training. The department is encouraged to foster the
19 development of continuing education by existing professional
20 membership organizations and education institutions.

21 (2) Training may include, but is not limited to,
22 education regarding:

23 (a) The incidence of mental health disorders and
24 substance abuse among older adults.

25 (b) The possible effects of mental health and
26 substance abuse problems on the health of older adults.

27 (c) Barriers to treatment of mental health disorders
28 and substance abuse encountered by older adults.

29 (d) Strategies for recognizing indicators of mental
30 health or substance abuse problems.

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1 (e) Community resources that offer preventive,
2 rehabilitative, and primary care services to older adults
3 experiencing, or at risk of experiencing, mental health or
4 substance abuse problems, in order to facilitate the
5 provider's ability to make appropriate referrals.

6 (f) Treatment modalities that have been shown to be
7 effective in helping older adults with mental health or
8 substance abuse problems.

9 (3) The department may accept, for the purposes of
10 this section, any special grant of money, services, or
11 property from the Federal Government, or any of its agencies,
12 or from any foundation, organization, or medical school.

13 Section 8. Public education and outreach to older
14 adults.--

15 (1) The Department of Children and Family Services
16 shall develop methods of information dissemination designed to
17 overcome the barriers to mental health and substance abuse
18 treatment within the population of adults age 60 and over.
19 Innovative outreach programs must be developed and promoted to
20 improve the diversion of older adults from expensive and
21 intensive forms of care. The department shall develop a
22 marketing and public education plan for how best to develop
23 prevention and treatment strategies aimed at an older
24 audience. The department shall work with other state agencies,
25 including, but not limited to, the Department of Elderly
26 Affairs, the Department of Health, and the Agency for Health
27 Care Administration, to develop innovative marketing and
28 public education materials and strategies.

29 (2) The department may accept, for the purposes of
30 this section, any special grant of money, services, or
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1 property from the Federal Government, or any of its agencies,
2 or from any foundation or organization.

3 Section 9. Older adult interagency coordination of
4 services demonstration projects.--

5 (1) DEVELOPMENT.--

6 (a) The Agency for Health Care Administration, the
7 Department of Health, the Department of Children and Family
8 Services, and the Department of Elderly Affairs shall form a
9 consortium, hereinafter referred to as "the consortium," by
10 entering into a partnership agreement to create and oversee
11 older adult interagency coordination of services demonstration
12 projects for the provision of mental health and substance
13 abuse services to adults age 60 and over. The Department of
14 Elderly Affairs shall be the lead agency.

15 (b) The consortium shall implement at least one
16 demonstration project and may implement up to three
17 demonstration projects. The demonstration projects shall
18 operate for 3 years.

19 (2) PURPOSE.--The purpose of the older adult
20 interagency coordination of services demonstration projects is
21 to test various designs and strategies for the planning,
22 integration, or coordination of the interagency delivery of
23 services to older adults who have mental health or substance
24 abuse problems, and their families or support systems. Each
25 demonstration project shall seek to:

26 (a) Refine the process of case management using the
27 strengths approach in assessment and service planning and
28 eliminate case management duplication.

29 (b) Employ natural supports in the family and the
30 community to help meet the service needs of the older adult.

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1 (c) Improve interagency planning efforts through
2 greater collaboration between public and private
3 community-based agencies.

4 (3) EVALUATION.--The Agency for Health Care
5 Administration shall conduct an evaluation of the
6 demonstration projects. The agency shall submit a copy of its
7 evaluation to the Secretary of Elderly Affairs, the Secretary
8 of Health, the Secretary of Children and Family Services, the
9 President of the Senate, and the Speaker of the House of
10 Representatives by December 31, 2004.

11 Section 10. There is hereby appropriated from the
12 General Revenue Fund to the Department of Children and Family
13 Services the sum of \$250,000 to provide training in aging,
14 mental health, and substance abuse to individuals serving
15 older adults, as specified in section 7, and to provide for
16 establishment of public education and outreach programs, as
17 specified in section 8.

18 Section 11. This act shall take effect upon becoming a
19 law.

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