

By the Council for Healthy Communities and Representatives  
 Murman, Baxley, Fiorentino and Sobel

1                                   A bill to be entitled  
 2           An act relating to community mental health  
 3           services; requiring that the Department of  
 4           Children and Family Services use certain funds  
 5           to expand the provision of crisis services and  
 6           community mental health services; requiring the  
 7           Department of Children and Family Services in  
 8           collaboration with the Agency for Health Care  
 9           Administration to develop estimates of the need  
 10          for mental health services; requiring estimates  
 11          to be submitted annually to the Governor, the  
 12          President of the Senate, and the Speaker of the  
 13          House of Representatives; requiring that new  
 14          funds for crisis services or community mental  
 15          health services be appropriated in a lump-sum  
 16          category; requiring a spending plan to be  
 17          submitted to the Governor; requiring that the  
 18          spending plan include a schedule for phasing in  
 19          new community mental health services; requiring  
 20          the department to submit reports concerning its  
 21          progress toward expanding community mental  
 22          health services; requiring that certain crisis  
 23          services and mental health services be provided  
 24          by the state's community mental health system  
 25          by specified dates to the extent of available  
 26          appropriations; providing an effective date.

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

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 30                   Section 1. (1) Pursuant to the General Appropriations  
 31 Acts for the 2001-2002 and 2002-2003 fiscal years, funds

1 appropriated to the Department of Children and Family Services  
2 for the purpose of expanding community mental health services  
3 must be used to implement programs that emphasize crisis  
4 services as defined in s. 394.67(4), Florida Statutes, and  
5 treatment services, rehabilitative services, support services,  
6 and case management services, as defined in s. 394.67(16),  
7 Florida Statutes. Following the 2002-2003 fiscal year, the  
8 Department of Children and Family Services must continue to  
9 expand the provision of these community mental health  
10 services.

11 (2) In order to estimate the cost of the expansion of  
12 community mental health services, the Department of Children  
13 and Family Services in collaboration with the Agency for  
14 Health Care Administration shall develop, and update annually,  
15 estimates of the need for mental health services, including  
16 forecasts of Baker Act expenditures, based on periodic  
17 actuarial analysis, caseload estimates of adults with serious  
18 mental illness and children with serious emotional  
19 disturbance, the associated costs per person served, and  
20 recommendations for maximizing the use of federal funds to  
21 meet these needs. The estimates must be submitted to the  
22 Executive Office of the Governor, the President of the Senate,  
23 and the Speaker of the House of Representatives on August 1 of  
24 each year.

25 (3) Each fiscal year, any funding increases for crisis  
26 services or community mental health services that are included  
27 in the General Appropriations Act shall be appropriated in a  
28 lump-sum category as defined in s. 216.011(1)(aa), Florida  
29 Statutes. In accordance with s. 216.181(6)(a), Florida  
30 Statutes, the Executive Office of the Governor shall require  
31 the Department of Children and Family Services to submit a

1 spending plan for the use of funds appropriated for this  
2 purpose. The spending plan must include a schedule for phasing  
3 in the new community mental health services in each service  
4 district of the department and must describe how the new  
5 services will be integrated and coordinated with all current  
6 community-based health and human services.

7 (4) On October 1, 2002, and on October 1, 2003, the  
8 Department of Children and Family Services shall submit a  
9 report to the Governor, the President of the Senate, and the  
10 Speaker of the House of Representatives concerning the  
11 progress made toward expanding the provision of community  
12 mental health services, as required by subsection (1), during  
13 the prior fiscal year.

14 (5) By January 1, 2004, the crisis services defined in  
15 s. 394.67(4), Florida Statutes, shall be implemented, as  
16 appropriate, in the state's public community mental health  
17 system to serve children and adults who are experiencing an  
18 acute mental or emotional crisis, as defined in s. 394.67(18),  
19 Florida Statutes. By January 1, 2006, the mental health  
20 services defined in s. 394.67(16), Florida Statutes, shall be  
21 implemented, as appropriate, in the state's public community  
22 mental health system to serve adults and older adults who have  
23 a severe and persistent mental illness and to serve children  
24 who have a serious emotional disturbance or mental illness, as  
25 defined in s. 394.492(6), Florida Statutes.

26 (6) The provisions of subsections (1) and (5) shall be  
27 implemented to the extent of available appropriations  
28 contained in the annual General Appropriations Act for such  
29 purposes.

30 Section 2. This act shall take effect upon becoming a  
31 law.