

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Simmons offered the following:

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3 **Amendment to Amendment (866277) (with title amendment)**

4 Remove line 746 and insert:

5 Section 9. Baker Act Workgroup.--

6 (1) There shall be created a Baker Act Workgroup for the  
7 purpose of determining the fiscal impact, if any, of including  
8 in the involuntary examination provisions of the Baker Act  
9 mental health professionals who are not presently permitted by  
10 law to seek involuntary examination under the Baker Act. The  
11 Baker Act Workgroup shall be coordinated through the Department  
12 of Children and Family Services, and shall include the following  
13 members:

14 (a) Two members to be appointed by the Speaker of the  
15 House of Representatives, at least one of whom must be a member  
16 of the Duval County delegation.

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17        (b) Two members to be appointed by the President of the  
18 Senate, at least one of whom must be a member of the Duval  
19 County delegation.

20        (c) Two members to be appointed by the Governor.

21        (d) Two members appointed by the Secretary of Children and  
22 Family Services, one of whom must be a member of the Florida  
23 Mental Health Counselors Association selected in consultation  
24 with the Florida Mental Health Counselors Association and one of  
25 whom must be a board-certified psychiatrist licensed under  
26 chapter 458 or chapter 459, Florida Statutes.

27        (e) The Duval County Sheriff or his designee.

28        (2) The Department of Children and Family Services shall  
29 contract with the Florida Mental Health Institute to evaluate  
30 data provided by the District 4 Baker Act Pilot Project, for the  
31 purpose of determining the fiscal impact, if any, of including  
32 in the involuntary examination provisions of the Baker Act  
33 mental health professionals who are not presently permitted by  
34 law to seek involuntary examination under the Baker Act.

35        (3) Prior to the study, the Florida Mental Health  
36 Institute must provide the proposed research criteria and  
37 methodology to the Baker Act Workgroup. The Baker Act Workgroup  
38 must approve of any research criteria and methodology that is  
39 used as a part of the study.

40        (4) The Florida Mental Health Institute shall submit the  
41 findings of its study to the Baker Act Workgroup no later than  
42 February 1, 2005.

43        (5) The Baker Act Workgroup shall submit a final report  
44 with recommendations to the Speaker of the House of

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45 Representatives and to the President of the Senate by March 1,  
46 2005. The Baker Act Workgroup shall terminate on March 1, 2005.

47 (6) All members of the Baker Act Workgroup shall serve  
48 without additional compensation or honorarium, and are  
49 authorized to receive only per diem and reimbursement for travel  
50 expenses as provided in section 112.061, Florida Statutes.

51 Section 10. District 4 Baker Act Pilot Project.--

52 (1) LEGISLATIVE INTENT.--It is the intent of the  
53 Legislature to ensure that the public is safeguarded through the  
54 expansion of qualified mental health professionals who may  
55 assess and refer persons who are a danger to themselves or  
56 others to appropriate services.

57 (2) The Department of Children and Family Services shall  
58 create a pilot project in District 4, which encompasses Baker,  
59 Clay, Duval, Nassau, and St. John's Counties. The pilot project  
60 shall include mental health counselors in the involuntary  
61 examination provisions of the Baker Act, as provided in section  
62 4 of this act.

63 (3) Using the criteria approved by the Baker Act  
64 Workgroup, the Florida Mental Health Institute shall study the  
65 District 4 Baker Act Pilot Project data to determine the fiscal  
66 impact, if any, of including licensed mental health counselors  
67 in the involuntary examination provisions of the Baker Act, as  
68 provided in section 4 of this act.

69 (4) The pilot project shall terminate on July 1, 2005,  
70 unless repealed sooner by the Legislature.

71 (5) The Department of Children and Family Services is  
72 authorized to use up to \$75,000 to implement the Baker Act

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73 Workgroup and the District 4 Baker Act Pilot Project as provided  
74 in sections 9 and 10 of this act.

75 Section 11. Except as otherwise expressly provided in this  
76 act, and except for this section and sections 9 and 10 of this  
77 act, which shall take effect July 1, 2004, this act shall take  
78 effect January 1, 2005.

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

82 Remove line 774 and insert:  
83 severability; creating the Baker Act Workgroup; providing  
84 a purpose; providing for the coordination of the workgroup  
85 through the Department of Children and Family Services;  
86 providing for members; requiring the department to  
87 evaluate data from a pilot program; providing research  
88 criteria by the Florida Mental Health Institute; requiring  
89 the Florida Mental Health Institute to submit its findings  
90 to the workgroup; requiring the workgroup to submit a  
91 report to the Legislature; creating the District 4 Baker  
92 Act Pilot Project in the department; providing legislative  
93 intent; requiring the Florida Mental Health Institute to  
94 study data from the pilot project for fiscal impact;  
95 providing a termination date; authorizing the department  
96 to use a certain maximum dollar amount to implement the  
97 workgroup and the pilot program; providing effective  
98 dates.