

Bill No. CS for CS for CS for CS for SB 700

Amendment No. ____ Barcode 932736

CHAMBER ACTION

Senate

House

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Senator Smith moved the following amendment:

Senate Amendment (with title amendment)

On page 27, line 1, delete that line

and insert:

Section 9. Baker Act Workgroup.--

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

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

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

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

2 (d) Two members appointed by the Secretary of Children
3 and Family Services, one of whom must be a member of the
4 Florida Mental Health Counselors Association selected in
5 consultation with the Florida Mental Health Counselors
6 Association and one of whom must be a board-certified
7 psychiatrist licensed under chapter 458 or chapter 459,
8 Florida Statutes.

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

10 (2) The Department of Children and Family Services
11 shall contract with the Florida Mental Health Institute to
12 evaluate data provided by the District 4 Baker Act Pilot
13 Project, for the purpose of determining the fiscal impact, if
14 any, of including in the involuntary examination provisions of
15 the Baker Act mental health professionals who are not
16 presently permitted by law to seek involuntary examination
17 under the Baker Act.

18 (3) Prior to the study, the Florida Mental Health
19 Institute must provide the proposed research criteria and
20 methodology to the Baker Act Workgroup. The Baker Act
21 Workgroup must approve of any research criteria and
22 methodology that is used as a part of the study.

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

26 (5) The Baker Act Workgroup shall submit a final
27 report with recommendations to the Speaker of the House of
28 Representatives and to the President of the Senate by March 1,
29 2005. The Baker Act Workgroup shall terminate on March 1,
30 2005.

31 (6) All members of the Baker Act Workgroup shall serve

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1 without additional compensation or honorarium, and are
2 authorized to receive only per diem and reimbursement for
3 travel expenses as provided in section 112.061, Florida
4 Statutes.

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

6 (1) LEGISLATIVE INTENT.--It is the intent of the
7 Legislature to ensure that the public is safeguarded through
8 the expansion of qualified mental health professionals who may
9 assess and refer persons who are a danger to themselves or
10 others to appropriate services.

11 (2) The Department of Children and Family Services
12 shall create a pilot project in District 4, which encompasses
13 Baker, Clay, Duval, Nassau, and St. John's counties. The pilot
14 project shall include mental health counselors in the
15 involuntary examination provisions of the Baker Act, as
16 provided in section 4 of this act.

17 (3) Using the criteria approved by the Baker Act
18 Workgroup, the Florida Mental Health Institute shall study the
19 District 4 Baker Act Pilot Project data to determine the
20 fiscal impact, if any, of including licensed mental health
21 counselors in the involuntary examination provisions of the
22 Baker Act, as provided in section 4 of this act.

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

25 (5) The Department of Children and Family Services is
26 authorized to use up to \$75,000 to implement the Baker Act
27 Workgroup and the District 4 Baker Act Pilot Project as
28 provided in sections 9 and 10 of this act.

29 Section 11. Except as otherwise expressly provided in
30 this act, and except for this section and sections 9 and 10 of
31 this act, which shall take effect July 1, 2004, this act shall

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1 take effect January 1, 2005.

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

5 And the title is amended as follows:

6 On page 1, line 30, delete that line

7

8 and insert:

9 creating the Baker Act Workgroup; providing a
10 purpose; providing for the coordination of the
11 workgroup through the Department of Children
12 and Family Services; providing for members;
13 requiring the department to evaluate data from
14 a pilot program; providing research criteria by
15 the Florida Mental Health Institute; requiring
16 the Florida Mental Health Institute to submit
17 its findings to the workgroup; requiring the
18 workgroup to submit a report to the
19 Legislature; creating the District 4 Baker Act
20 Pilot Project in the department; providing
21 legislative intent; requiring the Florida
22 Mental Health Institute to study data from the
23 pilot project for fiscal impact; providing a
24 termination date; authorizing the department to
25 use a certain maximum dollar amount to
26 implement the workgroup and the pilot program;
27 providing effective dates.

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