



1           394.655 The Substance Abuse and Mental Health  
2 Corporation; powers and duties; composition; evaluation and  
3 reporting requirements.--

4           (3)(a) The Florida Substance Abuse and Mental Health  
5 Corporation shall direct efforts designed to improve  
6 interagency coordination of substance abuse and mental health  
7 services in order to ensure that these services promote  
8 recovery and resiliency-based systems of care. The corporation  
9 shall provide oversight of the publicly funded substance abuse  
10 and mental health systems and make policy and resource  
11 recommendations that will promote system transformation by  
12 providing mechanisms for input from stakeholders, including  
13 primary consumers, family members, providers, and advocates,  
14 concerning the management of the overall system, and that be  
15 ~~responsible for oversight of the publicly funded substance~~  
16 ~~abuse and mental health systems and for making policy and~~  
17 ~~resources recommendations which~~ will improve the coordination,  
18 quality, and efficiency of the system.

19           (b) Subject to and consistent with direction set by  
20 the Legislature, the corporation shall ~~exercise the following~~  
21 ~~responsibilities:~~

22           1. Identify systemic needs for substance abuse and  
23 mental health services and for recovery and resiliency-based  
24 systems of care.

25           2. Identify specific needs for substance abuse and  
26 mental health services and for recovery and resiliency-based  
27 systems of care for each state agency that funds, purchases,  
28 or provides such services. The corporation shall prepare  
29 budget recommendations for submission to the appropriate  
30 departments for consideration in the development of their  
31 legislative budget requests and shall provide copies to the

1 Governor, the President of the Senate, and the Speaker of the  
2 House of Representative for their consideration.

3 3. Facilitate improved coordination and collaboration  
4 among state agencies that fund, purchase, or provide substance  
5 abuse or mental health services in order to support recovery  
6 and resiliency-based systems of care.

7 4. Identify impediments to implementing recovery and  
8 resiliency-based systems of care for substance abuse and  
9 mental health programs.

10 ~~1. Review and assess the collection and analysis of~~  
11 ~~needs assessment data as described in s. 394.82.~~

12 ~~2. Review and assess the status of the publicly funded~~  
13 ~~mental health and substance abuse systems and recommend policy~~  
14 ~~designed to improve coordination and effectiveness.~~

15 ~~3. Provide mechanisms for substance abuse and mental~~  
16 ~~health stakeholders, including consumers, family members,~~  
17 ~~providers, and advocates to provide input concerning the~~  
18 ~~management of the overall system.~~

19 ~~4. Recommend priorities for service expansion.~~

20 ~~5. Prepare budget recommendations to be submitted to~~  
21 ~~the appropriate departments for consideration in the~~  
22 ~~development of their legislative budget requests and provide~~  
23 ~~copies to the Governor, the President of the Senate, and the~~  
24 ~~Speaker of the House of Representatives for their~~  
25 ~~consideration.~~

26 ~~6. Review data regarding the performance of the~~  
27 ~~publicly funded substance abuse and mental health systems.~~

28 ~~7. Make recommendations concerning strategies for~~  
29 ~~improving the performance of the systems.~~

30 ~~8. Review, assess, and forecast substance abuse and~~  
31 ~~mental health manpower needs and work with the department and~~

1 ~~the educational system to establish policies, consistent with~~  
2 ~~the direction of the Legislature, which will ensure that the~~  
3 ~~state has the personnel it needs to continuously implement and~~  
4 ~~improve its services.~~

5 (c)~~(b)~~ The corporation shall work with the department  
6 and the Agency for Health Care Administration to assure, to  
7 the maximum extent possible, that Medicaid and  
8 department-funded services are delivered in a coordinated  
9 manner, using common service definitions, standards, and  
10 accountability mechanisms.

11 (d)~~(e)~~ The corporation shall also work with other  
12 agencies of state government which provide, purchase, or fund  
13 substance abuse and mental health programs and services in  
14 order to work toward fully developed and integrated, when  
15 appropriate, substance abuse and mental health systems that  
16 reflect current knowledge regarding efficacy and efficiency  
17 and use best practices identified within this state or other  
18 states.

19 (e)~~(d)~~ The corporation shall develop memoranda of  
20 understanding that describe how it will coordinate with other  
21 programmatic areas within the department and with other state  
22 agencies that deliver or purchase substance abuse or mental  
23 health services.

24 (6)(a) The corporation shall be comprised of 12  
25 members, each appointed to a 2-year term, with not more than  
26 three subsequent reappointments, except that initial  
27 legislative appointments shall be for 3-year terms. Four  
28 members shall be appointed by the Governor, four members shall  
29 be appointed by the President of the Senate, and four members  
30 shall be appointed by the Speaker of the House of  
31 Representatives.

1           1. The four members appointed by the Governor must be  
2 prominent community or business leaders, two of whom must have  
3 experience and interest in substance abuse and two of whom  
4 must have experience and interest in mental health.

5           2. Of the four members appointed by the President of  
6 the Senate, one member must represent the perspective of  
7 community-based care under chapter 409, one member must be a  
8 primary consumer ~~former client~~ or family member of a primary  
9 consumer of ~~client of a publicly funded~~ mental health services  
10 ~~program~~, and two members must be prominent community or  
11 business leaders, one of whom must have experience and  
12 interest in substance abuse and one of whom must have  
13 experience and interest in mental health.

14           3. Of the four members appointed by the Speaker of the  
15 House of Representatives, one member must be a primary  
16 consumer ~~former client~~ or family member of a primary consumer  
17 of ~~client of a publicly funded~~ substance abuse services  
18 ~~program~~, one member must represent the perspective of the  
19 criminal justice system, and two members must be prominent  
20 community or business leaders, one of whom must have  
21 experience and interest in substance abuse and one of whom  
22 must have experience and interest in mental health. The  
23 Secretary of Children and Family Services, or his or her  
24 designee, the Secretary of Health Care Administration, or his  
25 or her designee, and a representative of local government  
26 designated by the Florida Association of Counties shall serve  
27 as ex officio members of the corporation.

28           **(b) As used in this subsection, the term "primary**  
29 **consumer" means a person who voluntarily identifies himself or**  
30 **herself as a person who is currently receiving, or has in the**  
31 **past received, mental health or substance abuse services from**

1 a public or private provider or agency; who can articulate  
2 shared experiences, such as stigmatization, psychotropic  
3 medications, suicidal ideation, seclusion or restraint,  
4 benefit eligibility, trauma, or violence history, which are  
5 similar to the experiences of other persons who have received  
6 such services; and who voluntarily acts as an advocate for the  
7 improvement of mental health or substance abuse services  
8 through his or her vocation or avocation.

9 ~~(c)(b)~~ The corporation shall be chaired by a member  
10 designated by the Governor who may not be a public sector  
11 employee.

12 ~~(d)(e)~~ Persons who derive their income from resources  
13 controlled by the Department of Children and Family Services  
14 or the Agency for Health Care Administration may not be  
15 members of the corporation.

16 ~~(e)(d)~~ The Governor, the President of the Senate, and  
17 the Speaker of the House of Representatives shall make their  
18 respective appointments within 60 days after the effective  
19 date of this act.

20 ~~(f)(e)~~ A member of the corporation may be removed by  
21 the appointing party for cause. Absence from three consecutive  
22 meetings shall result in automatic removal. The chairperson of  
23 the corporation shall notify the appointing party of such  
24 absences.

25 ~~(g)(f)~~ The corporation shall develop bylaws that  
26 describe how it will conduct its work.

27 ~~(h)(g)~~ The corporation shall meet at least quarterly  
28 and at other times upon the call of its chair. Corporation  
29 meetings may be held via teleconference or other electronic  
30 means.

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1           ~~(i)(h)~~ A majority of the total current membership of  
2 the corporation constitutes a quorum of the corporation. The  
3 corporation may only meet and take action when a quorum is  
4 present.

5           ~~(j)(i)~~ Within resources appropriated by the  
6 Legislature and other funds available to the corporation, the  
7 chairperson of the corporation may appoint advisory committees  
8 to address and advise the corporation on particular issues  
9 within its scope of responsibility. Members of advisory  
10 committees are not subject to the prohibition in paragraph  
11 (c).

12           ~~(k)(j)~~ Members of the corporation and its committees  
13 shall serve without compensation but are entitled to  
14 reimbursement for travel and per diem expenses pursuant to s.  
15 112.061.

16           ~~(l)(k)~~ Each member of the corporation who is not  
17 otherwise required to file a financial disclosure statement  
18 pursuant to s. 8, Art. II of the State Constitution or s.  
19 112.3144 must file disclosure of financial interests pursuant  
20 to s. 112.3145.

21           (11) This section expires on October 1, 2011 ~~2006~~,  
22 unless reviewed and reenacted by the Legislature before that  
23 date.

24           Section 2. Section 394.66, Florida Statutes, is  
25 amended to read:

26           394.66 Legislative intent with respect to substance  
27 abuse and mental health services.--It is the intent of the  
28 Legislature to:

29           (1) Ensure that a recovery and resiliency-based  
30 substance abuse and mental health system is implemented by the  
31 department and its state-funded mental health providers.

1           ~~(2)(1)~~ Recognize that mental illness and substance  
2 abuse impairment are diseases that are responsive to medical  
3 and psychological interventions and management that integrate  
4 treatment, rehabilitative, and support services to achieve  
5 recovery ~~quality and cost efficient outcomes for clients and~~  
6 ~~for community based treatment systems.~~

7           ~~(3)(2)~~ Promote and improve the mental health of the  
8 citizens of the state by making substance abuse and mental  
9 health treatment and support services available to those  
10 persons who are most in need and least able to pay, through a  
11 community-based system of care.

12           ~~(4)(3)~~ Involve local citizens in the planning of  
13 substance abuse and mental health services in their  
14 communities.

15           ~~(5)(4)~~ Ensure that the department and the Agency for  
16 Health Care Administration work cooperatively in planning and  
17 designing comprehensive community-based substance abuse and  
18 mental health programs that focus on the individual needs of  
19 persons served ~~clients.~~

20           ~~(6)(5)~~ Ensure that all activities of the Department of  
21 Children and Family Services and the Agency for Health Care  
22 Administration, and their respective contract providers,  
23 involved in the delivery of substance abuse and mental health  
24 treatment and prevention services are coordinated and  
25 integrated with other local systems and groups, public and  
26 private, such as juvenile justice, criminal justice, child  
27 protection, and public health organizations; school districts;  
28 and local groups or organizations that focus on services to  
29 older adults.

30           ~~(7)(6)~~ Provide access to crisis services to all  
31 residents of the state with priority of attention being given



1 to individuals exhibiting symptoms of acute mental illness or  
2 substance abuse.

3 ~~(8)(7)~~ Ensure that services provided to persons with  
4 co-occurring mental illness and substance abuse problems be  
5 integrated across treatment systems.

6 ~~(9)(8)~~ Ensure continuity of care, consistent with  
7 minimum standards, for persons who are released from a state  
8 treatment facility into the community.

9 (10) Ensure continuity of care, consistent with  
10 minimum standards, for persons with serious and persistent  
11 mental illnesses who are released from a state correctional  
12 facility into the community.

13 ~~(11)(9)~~ Provide accountability for service provision  
14 through statewide standards for treatment and support  
15 services, and statewide standards for management, monitoring,  
16 and reporting of information.

17 ~~(12)(10)~~ Include substance abuse and mental health  
18 services as a component of the integrated service delivery  
19 system of the Department of Children and Family Services.

20 ~~(13)(11)~~ Ensure that the districts of the department  
21 are the focal point of all substance abuse and mental health  
22 planning activities, including budget submissions, grant  
23 applications, contracts, and other arrangements that can be  
24 effected at the district level.

25 ~~(14)(12)~~ Organize and finance community substance  
26 abuse and mental health services in local communities  
27 throughout the state through locally administered service  
28 delivery programs that are based on client outcomes, are  
29 programmatically effective, and are financially efficient, and  
30 that maximize the involvement of local citizens.

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1           ~~(15)~~~~(13)~~ Promote best practices and the highest  
2 quality of care in contracted alcohol, drug abuse, and mental  
3 health services through achievement of national accreditation.

4           ~~(16)~~~~(14)~~ Ensure that the state agencies licensing and  
5 monitoring contracted providers perform in the most  
6 cost-efficient and effective manner with limited duplication  
7 and disruption to organizations providing services.

8           Section 3. This act shall take effect upon becoming a  
9 law.

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11                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
12   COMMITTEE SUBSTITUTE FOR  
13   SB 1286

13

14 Substantially revises the duties of the Substance Abuse and  
15 Mental Health Corporation by consolidating current  
16 responsibilities and providing that the activities of the  
17 corporation shall focus on directing efforts to improve  
18 interagency coordination of services to support a recovery and  
19 resiliency-based system of care.

17 Revises qualifications of the consumer members of the  
18 corporation and provides a definition for "primary consumer."

19 Amends legislative intent in part IV of chapter 394, F.S., to  
20 include the implementation of a recovery and resiliency-based  
21 system by the Department of Children and Family Services and  
22 to ensure continuity of care for persons with serious mental  
23 illnesses being released from correctional programs into the  
24 community.

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