

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 527 CS Suicide Prevention
SPONSOR(S): Gibson and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 1008

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Future of Florida's Families Committee	7 Y, 0 N, w/CS	Preston	Collins
2) Governmental Operations Committee		Brown	Williamson
3) Transportation & Economic Development Appropriations Committee			
4) Health & Families Council			
5) _____			

SUMMARY ANALYSIS

The bill creates the Statewide Office for Suicide Prevention in the Office of Drug Control within the Executive Office of the Governor.

Subject to a specific appropriation, the bill requires the director of the Office of Drug Control to employ a coordinator for the Statewide Office for Suicide Prevention and specifies the education, experience, and skills to consider when hiring such coordinator. Duties of the coordinator include facilitating an interagency workgroup, reviewing suicide prevention programs to identify innovative models, developing and maintaining an Internet website related to suicide prevention, and assisting in the development of public awareness and media campaigns.

The bill also creates a Suicide Prevention Coordinating Council of 26 members in the Office of Drug Control. The coordinating council must create a statewide plan for suicide prevention and create a state interagency workgroup in order to incorporate state agency plans for suicide prevention into the statewide plan.

The bill specifies the membership, terms of office, and the duties of both the council and the workgroup. The coordinating council must make findings and recommendations regarding suicide prevention programs and activities, and must report annually to the Governor and the Legislature.

The bill authorizes one FTE and appropriates \$100,000 from the General Revenue Fund to the Office of Drug Control to implement the provisions of the bill for fiscal year 2006-2007.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill provides for one additional FTE: a coordinator for the Statewide Office for Suicide Prevention, and a \$100,000 budget to implement the provisions of the bill for fiscal year 2006-2007. The bill provides no additional staff or administrative support for the required work of the Statewide Office, the Coordinating Council, or the interagency workgroup. If existing staff within the Office of Drug Control assume those duties, it will increase the work responsibilities of those individuals.

The bill creates a new coordinating council with 26 members. The bill requires state employees to serve on both the coordinating council and the interagency workgroup, which adds to their work-related responsibilities. The coordinating council and the coordinator must report annually on their activities to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

B. EFFECT OF PROPOSED CHANGES:

Background – Suicide

Florida currently ranks 15th in the nation for the number of suicides. There were 2,294 suicides in the state during 2003, making it the ninth leading cause of death for the overall population. Suicide has been identified as the third leading cause of death for 15-24 year olds, the second leading cause of death for 25-34 year olds, and the fifth leading cause of death for 35-44 year olds.¹

While suicide is often characterized as a response to a single event or set of circumstances, suicide is, in fact, an outcome of complex interactions among neurobiological, genetic, psychological, social, cultural, and environmental risk and protective factors. The factors that contribute to any particular suicide are diverse; therefore, it is generally believed that efforts related to prevention must incorporate multiple approaches.²

The Florida Youth Emotional Development and Suicide Prevention Act, passed by the Legislature in 1984, declared the prevention of suicide by youths to be a priority of the state. The Act was considered landmark legislation, which resulted in Florida being recognized nationally as one of a handful of states passing legislation to establish a statewide program to promote positive development of youths and prevent suicide through coordinated educational efforts at the state and local levels. As a result of the legislation, the Department of Education, Department of Law Enforcement, and Department of Health and Rehabilitative Services (now the Department of Children and Family Services) worked together to develop ways to inform people about the problem of youth suicide and actions that should be taken to prevent suicides.³

In 2000, the Governor directed the Office of Drug Control⁴ to assist in decreasing the incidence of suicide in Florida. The director of the Office of Drug Control convened a workgroup to establish an infrastructure for a state suicide prevention task force, now called the Florida Task Force on Suicide

¹ Florida Vital Statistics, Annual Report. 2003.

² U.S. Department of Health and Human Services. National Strategy for Suicide Prevention: Goals and Objectives for Action. 2001.

³ All of the activities of these state agencies, and of the district and state task forces, including the development of a training guide, were accomplished by using existing resources and with the help of volunteers, including parent survivors of youth suicide. See Florida Youth Suicide Prevention Study, Report to the Florida State Legislature. Louis de la Parte Florida Mental Health Institute, University of South Florida. 1999.

⁴ The Florida Office of Drug Control was created in 1999 within the Executive Office of the Governor (Chapter 99-187, Laws of Florida) to coordinate Florida's efforts related to the reduction of drug abuse and its consequences to the state. See section 397.332, Florida Statutes.

Prevention. In August 2002, the task force released a Statewide Suicide Prevention Strategy paper to provide policy direction to state and community leaders in order to decrease the incidence of youth suicide in Florida. The paper contained three stated goals:

- To decrease the incidence of suicide in Florida by one third (from approximately 14.1 per 100,000 in 2001 to approximately 9.4 per 100,000 by the end of 2010);
- To decrease the incidence of teen suicide in Florida by one third (from approximately 9.5 per 100,000 in 2001 to approximately 6.3 per 100,000 by the end of 2010); and
- To decrease the incidence of elder suicide in Florida by one third (from approximately 20 per 100,000 in 2001 to approximately 13.3 per 100,000 by the end of 2010).⁵

Background – Organizational Structure

Chapter 14, F.S., describes the organizational structure of the Executive Office of the Governor (EOG).⁶ Section 397.332, F.S. creates the Office of Drug Control inside the EOG. Chapter 20, F.S., defines several types of advisory bodies:

Name	Duration	Additional Comment
“Council” or “Advisory Council”	“[O]n a continuing basis...”	Created by specific statutory enactment and intended to focus on a specific function or program area. Provides recommendations and policy alternatives.
“Committee” or “Task Force”	1 year (without specific statutory enactment); 3 years (with specific statutory enactment)	Appointed to study a particular problem and recommend a solution. Existence terminates upon completion of assignment.
“Coordinating Council”	Not explicitly stated.	An interdepartmental advisory body – one department has primary responsibility but other agencies have an interest.
“Commission”	Not explicitly stated.	Exercises quasi-legislative or quasi-judicial power, and its members must generally be confirmed by the Legislature.

Pursuant to s. 20.052, F.S., the creation of any new advisory body requires the following findings or requirements:

- It must be necessary and beneficial to the furtherance of a public purpose.
- It must be terminated by the Legislature when it is no longer necessary and beneficial to the furtherance of a public purpose.
- The Legislature and the public must be kept informed of its activities and expenses,
- It meets a statutorily defined purpose.
- Its powers and responsibilities conform to the definitions for governmental units in s. 20.03, F.S. (outlined in the table above).
- Its members, unless expressly provided otherwise in the State Constitution, are appointed for 4-year staggered terms.

⁵ Florida Suicide Prevention Strategy. Office of Drug Control, Executive Office of the Governor. January 2005. Available online at: http://www.myflorida.com/myflorida/government/governorinitiatives/drugcontrol/pdfs/suicide_prevent.pdf

⁶ Chapter 20, F.S., governs the organizational structure of the Executive Branch. Section 20.04, F.S., governs the creation of additional entities while the creation of advisory bodies is governed by s. 20.03, F.S., which provides substantive definitions for several types of advisory bodies and by s. 20.052, F.S., which sets forth requirements for all advisory bodies.

- Its members, unless expressly provided otherwise by specific statutory enactment, serve without additional compensation or honorarium, and are authorized to receive only per diem and reimbursement for travel expenses as provided in s. 112.061, F.S.

In addition, the agency head or the Governor appoints private citizen members of a committee or council. Private citizen members of a commission or board of trustees are appointed by the Governor and confirmed by the Legislature, and are subject to the dual-office-holding prohibition of s. 5(a), Art. II of the State Constitution. All meetings of any entity are public, and minutes must be kept. Public records are maintained by the agency under which the entity is created.⁷

The Bill

The bill creates the Statewide Office for Suicide Prevention in the Office of Drug Control (office) within the Executive Office of the Governor and specifies duties for the office including:

- Developing a network of community-based programs to improve suicide prevention initiatives;
- Implementing the statewide plan prepared by the Suicide Prevention Coordinating Council;
- Increasing public awareness concerning topics relating to suicide prevention;
- Coordinating education and training curricula in suicide prevention efforts for professionals who may have contact with persons at risk of committing suicide; and
- Directing an interagency workgroup within the Suicide Prevention Coordinating Council.

Subject to a specific appropriation, the bill requires the director of the office to employ a coordinator of the Statewide Office for Suicide Prevention and specifies the education, experience, and skills to consider when hiring such coordinator. Duties of the coordinator include:

- Facilitating an interagency workgroup;
- Reviewing suicide prevention programs to identify innovative models;
- Developing and maintaining an Internet website related to suicide prevention; and
- Assisting in the development of public awareness and media campaigns.

The bill also creates a Suicide Prevention Coordinating Council (coordinating council) of 26 members in the office. The coordinating council is required, among other things, to create a statewide plan for suicide prevention and create a state interagency workgroup in order to incorporate state agency plans for suicide prevention into such statewide plan. The bill specifies the membership, terms of office, and the duties of both the coordinating council and the workgroup. The coordinating council must make findings and recommendations regarding suicide prevention programs and activities, and must report annually to the Governor and the Legislature.

C. SECTION DIRECTORY:

Section 1. Creates section 397.3335, Florida Statutes, to create the Statewide Office for Suicide Prevention.

Section 2. Creates section 397.3336, Florida Statutes, to create the Suicide Prevention Coordinating Council.

Section 3. Authorizes one FTE and appropriates \$100,000 from the General Revenue Fund to the Office of Drug Control to implement the provisions of the bill for fiscal year 2006-2007.

Section 4. Provides for an effective date of July 1, 2006.

⁷ Section 20.052(1) – (5), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill authorizes the coordinator to seek grants and other methods of funding from the federal government and nongovernmental organizations. If such activities were successful, the Office of Suicide Prevention would receive additional revenue to further its stated activities.

2. Expenditures:

The bill authorizes one FTE and appropriates \$100,000 from the General Revenue Fund to the Office of Drug Control to implement the provisions of the bill for fiscal year 2006-2007.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not create, modify, amend, or eliminate a local revenue source.

2. Expenditures:

The bill does not create, modify, amend, or eliminate a local expenditure.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

In a report of the Committee on Pathophysiology and Prevention of the Adolescent and Adult Suicide Board on Neuroscience and Behavioral Health, it was stated that the emotional cost of suicide is great and that for family and friends of suicide victims, the personal loss is most important. Nonetheless, an additional economic cost that society incurs with suicides consists of four factors:

- Medical expenses of emergency intervention and non-emergency treatment. These costs are not borne by the health care industry alone, but by all of society through higher health care costs that are ultimately passed on to workers and taxpayers;
- The lost and/or reduced productivity of people suffering from a suicide attempt;
- The lost productivity of the loved ones grieving a suicide; and
- Lost wages of those who commit suicide.⁸

Estimates of the economic costs of suicide vary, but a reduction in the number of suicide attempts and completed suicides would result in a reduction in costs related to medical treatment and hospitalizations, costs related to disability, and lost earnings.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue.

⁸ S. Goldsmith, T. Pellmar, et al. Reducing Suicide: A National Imperative. The National Academies Press. 2002.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Chapter 20, F.S., provides for the organizational structure of the executive branch of state government and provides a uniform nomenclature for entities within that branch. The Legislature is not bound by the definitions contained in that chapter and may create executive branch entities that do not conform to the standard; however, consistency with that uniform nomenclature provides for greater consistency across state government entities. Section 20.04, F.S., does not currently contain a general definition for "office," although there are a few departments that are explicitly created with offices.⁹ Typically, such "offices" do not formally contain other "offices," but "units" or "sections." This bill creates an "office" (Statewide Office for Suicide Prevention) within an "office" (Office of Drug Control) within an "office" (the Executive Office of the Governor).

The bill provides multiple reporting requirements to the Governor and the Legislature, from both the coordinator and the coordinating council. It is difficult to determine whether these multiple reports are conflicting or duplicative. Specifically, the proposed s. 397.3336(1)(a), F.S., directs the coordinating council to "advise the Statewide Office... regarding the development of the plan," then details the requirements of the plan. Subsection (d) reiterates the general directive to "advise the Statewide Office." Details of the plan may be better placed in proposed s. 397.3335, F.S.

Among the requirements in section 20.052, F.S., is the staggering of 4-year terms, when creating any advisory body. The bill does not meet this statutory requirement.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On January 25, 2006, the Future of Florida's Families Committee adopted four amendments to the bill which:

- Increases the number of members of the Suicide Prevention Coordinating Council (council) from 25 to 26 members by adding a representative from the Florida Counseling Association to the council membership. This increases the number of appointees to be appointed by the director of the Office of Drug Control from 11 to 12; and
- Authorizes one FTE and appropriates \$100,000 from the General Revenue Fund to the Office of Drug Control to implement the provisions of the bill for fiscal year 2006-2007.

The bill was reported favorably with committee substitute.

⁹ See, for example, s. 20.04(4)(5) and (6), Florida Statutes, where the Departments of Children and Family Services, Corrections and Transportation are specifically created to be outside of the uniform structure provided by chapter 20, Florida Statutes.