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## CHAMBER ACTION

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1 The Health Care Appropriations Committee recommends the  
2 following:

**Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to substance abuse and mental health  
8 services; amending s. 394.655, F.S.; revising the duties  
9 of the Florida Substance Abuse and Mental Health  
10 Corporation; requiring the corporation to ensure the  
11 provision of services that promote recovery and  
12 resiliency-based systems of care; requiring that certain  
13 members appointed to the corporation be primary consumers  
14 of mental health or substance abuse services or family  
15 members of primary consumers of such services; defining  
16 the term "primary consumer"; delaying the date when  
17 provisions establishing the corporation are scheduled to  
18 expire; amending s. 394.66, F.S.; revising and providing  
19 additional legislative intent with respect to the  
20 substance abuse and mental health services provided by the  
21 Department of Children and Family Services and its  
22 providers and continuity of care for persons having a

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23 |           mental illness who are released from a state correctional  
24 |           facility; providing an effective date.

25 |

26 | Be It Enacted by the Legislature of the State of Florida:

27 |

28 |           Section 1. Subsections (3), (6), and (11) of section  
29 | 394.655, Florida Statutes, are amended to read:

30 |           394.655 The Substance Abuse and Mental Health Corporation;  
31 | powers and duties; composition; evaluation and reporting  
32 | requirements.--

33 |           (3) (a) The Florida Substance Abuse and Mental Health  
34 | Corporation shall direct efforts designed to improve interagency  
35 | coordination of substance abuse and mental health services in  
36 | order to ensure that these services promote recovery and  
37 | resiliency-based systems of care. The corporation shall provide  
38 | oversight of the publicly funded substance abuse and mental  
39 | health systems and make policy and resource recommendations that  
40 | will promote system transformation by providing mechanisms for  
41 | input from stakeholders, including primary consumers, family  
42 | members, providers, and advocates, concerning the management of  
43 | the overall system, and that ~~be responsible for oversight of the~~  
44 | ~~publicly funded substance abuse and mental health systems and~~  
45 | ~~for making policy and resources recommendations which will~~  
46 | improve the coordination, quality, and efficiency of the system.

47 |           (b) Subject to and consistent with direction set by the  
48 | Legislature, the corporation shall ~~exercise the following~~  
49 | ~~responsibilities:~~

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50        1. Identify systemic needs for substance abuse and mental  
51 health services and for recovery and resiliency-based systems of  
52 care.

53        2. Identify specific needs for substance abuse and mental  
54 health services and for recovery and resiliency-based systems of  
55 care for each state agency that funds, purchases, or provides  
56 such services.

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

61        4. Identify impediments to implementing recovery and  
62 resiliency-based systems of care for substance abuse and mental  
63 health programs.

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

66        ~~2. Review and assess the status of the publicly funded~~  
67 ~~mental health and substance abuse systems and recommend policy~~  
68 ~~designed to improve coordination and effectiveness.~~

69        ~~3. Provide mechanisms for substance abuse and mental~~  
70 ~~health stakeholders, including consumers, family members,~~  
71 ~~providers, and advocates to provide input concerning the~~  
72 ~~management of the overall system.~~

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

74        ~~5. Prepare budget recommendations to be submitted to the~~  
75 ~~appropriate departments for consideration in the development of~~  
76 ~~their legislative budget requests and provide copies to the~~

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77 ~~Governor, the President of the Senate, and the Speaker of the~~  
78 ~~House of Representatives for their consideration.~~

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

81 ~~7. Make recommendations concerning strategies for~~  
82 ~~improving the performance of the systems.~~

83 ~~8. Review, assess, and forecast substance abuse and mental~~  
84 ~~health manpower needs and work with the department and the~~  
85 ~~educational system to establish policies, consistent with the~~  
86 ~~direction of the Legislature, which will ensure that the state~~  
87 ~~has the personnel it needs to continuously implement and improve~~  
88 ~~its services.~~

89 (c)~~(b)~~ The corporation shall work with the department and  
90 the Agency for Health Care Administration to assure, to the  
91 maximum extent possible, that Medicaid and department-funded  
92 services are delivered in a coordinated manner, using common  
93 service definitions, standards, and accountability mechanisms.

94 (d)~~(e)~~ The corporation shall also work with other agencies  
95 of state government which provide, purchase, or fund substance  
96 abuse and mental health programs and services in order to work  
97 toward fully developed and integrated, when appropriate,  
98 substance abuse and mental health systems that reflect current  
99 knowledge regarding efficacy and efficiency and use best  
100 practices identified within this state or other states.

101 (e)~~(d)~~ The corporation shall develop memoranda of  
102 understanding that describe how it will coordinate with other  
103 programmatic areas within the department and with other state

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104 agencies that deliver or purchase substance abuse or mental  
105 health services.

106 (6)(a) The corporation shall be comprised of 12 members,  
107 each appointed to a 2-year term, with not more than three  
108 subsequent reappointments, except that initial legislative  
109 appointments shall be for 3-year terms. Four members shall be  
110 appointed by the Governor, four members shall be appointed by  
111 the President of the Senate, and four members shall be appointed  
112 by the Speaker of the House of Representatives.

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

117 2. Of the four members appointed by the President of the  
118 Senate, one member must represent the perspective of community-  
119 based care under chapter 409, one member must be a primary  
120 consumer ~~former client~~ or family member of a primary consumer of  
121 client of a publicly funded mental health services ~~program~~, and  
122 two members must be prominent community or business leaders, one  
123 of whom must have experience and interest in substance abuse and  
124 one of whom must have experience and interest in mental health.

125 3. Of the four members appointed by the Speaker of the  
126 House of Representatives, one member must be a primary consumer  
127 ~~former client~~ or family member of a primary consumer of client  
128 ~~of a publicly funded~~ substance abuse services ~~program~~, one  
129 member must represent the perspective of the criminal justice  
130 system, and two members must be prominent community or business  
131 leaders, one of whom must have experience and interest in

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132 substance abuse and one of whom must have experience and  
 133 interest in mental health. The Secretary of Children and Family  
 134 Services, or his or her designee, the Secretary of Health Care  
 135 Administration, or his or her designee, and a representative of  
 136 local government designated by the Florida Association of  
 137 Counties shall serve as ex officio members of the corporation.

138 (b) As used in this subsection, the term "primary  
 139 consumer" means a person who voluntarily identifies himself or  
 140 herself as a person who is currently receiving, or has in the  
 141 past received, mental health or substance abuse services from a  
 142 public or private provider or agency; who can articulate shared  
 143 experiences, such as stigmatization, psychotropic medications,  
 144 suicidal ideation, seclusion or restraint, benefit eligibility,  
 145 trauma, or violence history, which are similar to the  
 146 experiences of other persons who have received such services;  
 147 and who voluntarily acts as an advocate for the improvement of  
 148 mental health or substance abuse services through his or her  
 149 vocation or avocation.

150 (c)~~(b)~~ The corporation shall be chaired by a member  
 151 designated by the Governor who may not be a public sector  
 152 employee.

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

157 (e)~~(d)~~ The Governor, the President of the Senate, and the  
 158 Speaker of the House of Representatives shall make their

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159 | respective appointments within 60 days after the effective date  
160 | of this act.

161 |       (f)~~(e)~~ A member of the corporation may be removed by the  
162 | appointing party for cause. Absence from three consecutive  
163 | meetings shall result in automatic removal. The chairperson of  
164 | the corporation shall notify the appointing party of such  
165 | absences.

166 |       (g)~~(f)~~ The corporation shall develop bylaws that describe  
167 | how it will conduct its work.

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

171 |       (i)~~(h)~~ A majority of the total current membership of the  
172 | corporation constitutes a quorum of the corporation. The  
173 | corporation may only meet and take action when a quorum is  
174 | present.

175 |       (j)~~(i)~~ Within resources appropriated by the Legislature  
176 | and other funds available to the corporation, the chairperson of  
177 | the corporation may appoint advisory committees to address and  
178 | advise the corporation on particular issues within its scope of  
179 | responsibility. Members of advisory committees are not subject  
180 | to the prohibition in paragraph (d) ~~(e)~~.

181 |       (k)~~(j)~~ Members of the corporation and its committees shall  
182 | serve without compensation but are entitled to reimbursement for  
183 | travel and per diem expenses pursuant to s. 112.061.

184 |       (l)~~(k)~~ Each member of the corporation who is not otherwise  
185 | required to file a financial disclosure statement pursuant to s.

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186 8, Art. II of the State Constitution or s. 112.3144 must file  
187 disclosure of financial interests pursuant to s. 112.3145.

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

190 Section 2. Section 394.66, Florida Statutes, is amended to  
191 read:

192 394.66 Legislative intent with respect to substance abuse  
193 and mental health services.--It is the intent of the Legislature  
194 to:

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

198 (2)~~(1)~~ Recognize that mental illness and substance abuse  
199 impairment are diseases that are responsive to medical and  
200 psychological interventions and management that integrate  
201 treatment, rehabilitative, and support services to achieve  
202 recovery quality and cost-efficient outcomes for clients and for  
203 community based treatment systems.

204 (3)~~(2)~~ Promote and improve the mental health of the  
205 citizens of the state by making substance abuse and mental  
206 health treatment and support services available to those persons  
207 who are most in need and least able to pay, through a community-  
208 based system of care.

209 (4)~~(3)~~ Involve local citizens in the planning of substance  
210 abuse and mental health services in their communities.

211 (5)~~(4)~~ Ensure that the department and the Agency for  
212 Health Care Administration work cooperatively in planning and  
213 designing comprehensive community-based substance abuse and

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214 mental health programs that focus on the individual needs of  
215 persons served ~~clients~~.

216 ~~(6)-(5)~~ Ensure that all activities of the Department of  
217 Children and Family Services and the Agency for Health Care  
218 Administration, and their respective contract providers,  
219 involved in the delivery of substance abuse and mental health  
220 treatment and prevention services are coordinated and integrated  
221 with other local systems and groups, public and private, such as  
222 juvenile justice, criminal justice, child protection, and public  
223 health organizations; school districts; and local groups or  
224 organizations that focus on services to older adults.

225 ~~(7)-(6)~~ Provide access to crisis services to all residents  
226 of the state with priority of attention being given to  
227 individuals exhibiting symptoms of acute mental illness or  
228 substance abuse.

229 ~~(8)-(7)~~ Ensure that services provided to persons with co-  
230 occurring mental illness and substance abuse problems be  
231 integrated across treatment systems.

232 ~~(9)-(8)~~ Ensure continuity of care, consistent with minimum  
233 standards, for persons who are released from a state treatment  
234 facility into the community.

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

239 ~~(11)-(9)~~ Provide accountability for service provision  
240 through statewide standards for treatment and support services,

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241 and statewide standards for management, monitoring, and  
242 reporting of information.

243 (12)~~(10)~~ Include substance abuse and mental health  
244 services as a component of the integrated service delivery  
245 system of the Department of Children and Family Services.

246 (13)~~(11)~~ Ensure that the districts of the department are  
247 the focal point of all substance abuse and mental health  
248 planning activities, including budget submissions, grant  
249 applications, contracts, and other arrangements that can be  
250 effected at the district level.

251 (14)~~(12)~~ Organize and finance community substance abuse  
252 and mental health services in local communities throughout the  
253 state through locally administered service delivery programs  
254 that are based on client outcomes, are programmatically  
255 effective, and are financially efficient, and that maximize the  
256 involvement of local citizens.

257 (15)~~(13)~~ Promote best practices and the highest quality of  
258 care in contracted alcohol, drug abuse, and mental health  
259 services through achievement of national accreditation.

260 (16)~~(14)~~ Ensure that the state agencies licensing and  
261 monitoring contracted providers perform in the most cost-  
262 efficient and effective manner with limited duplication and  
263 disruption to organizations providing services.

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