

1 report to the Governor, the President of the
2 Senate, and the Speaker of the House of
3 Representatives by a specified date; specifying
4 the information to be included in the annual
5 report; limiting the administrative costs a
6 county may charge to the grant funds; amending
7 s. 394.655, F.S.; creating the Criminal Justice
8 Mental Health Policy Council in the Florida
9 Substance Abuse and Mental Health Corporation;
10 providing for membership; providing for the
11 purpose of the council; providing an effective
12 date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Criminal Justice Mental Health Reinvestment
17 Grant Program.--

18 (1) There is created within the Department of Children
19 and Family Services the Criminal Justice Mental Health
20 Reinvestment Grant Program. The purpose of the program is to
21 provide funding to counties with which they can plan,
22 implement, or expand initiatives that increase public safety,
23 avert increased spending on criminal justice, and improve the
24 accessibility and effectiveness of treatment services for
25 residents who have a mental illness, substance use disorder,
26 or co-occurring mental health and substance use disorder and
27 who are in, or at risk of entering, the criminal justice
28 system.

29 (2) The Florida Substance Abuse and Mental Health
30 Corporation created in s. 394.655, Florida Statutes, shall
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1 create a statewide grant review subcommittee. The subcommittee
2 shall include:

3 (a) Five current members or appointees of the
4 corporation;

5 (b) One representative of the Department of Children
6 and Family Services;

7 (c) One representative of the Department of
8 Corrections;

9 (d) One representative of the Department of Juvenile
10 Justice;

11 (e) One representative of the Department of Elderly
12 Affairs; and

13 (f) One representative of the State Courts
14 Administrator.

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16 To the extent possible, the members of the subcommittee shall
17 have expertise in grant writing, grant reviewing, and grant
18 application scoring.

19 (3)(a) A county may apply for a 1-year planning grant
20 or a 3-year implementation grant. The purpose of the grant is
21 to demonstrate that investment in treatment efforts related to
22 mental illness, substance abuse disorders, or co-occurring
23 disorders results in reduced demand on the resources of the
24 judicial, corrections, or health and social services systems.

25 (b) To be eligible to receive a one-year planning
26 grant or a 3-year implementation grant, a county applicant
27 must have a county planning committee that is in compliance
28 with the membership requirements set forth in this section.

29 (4) The grant review subcommittee shall notify the
30 Department of Children and Family Services in writing of the
31 applicants who have been selected by the subcommittee to

1 receive a grant. Contingent upon the availability of funds and
2 upon notification by the review committee of those applicants
3 approved to receive planning, implementation, or expansion
4 grants, the Department of Children and Family Services may
5 transfer funds appropriated for the grant program to any
6 county awarded a grant.

7 Section 2. County planning councils or committees.--

8 (1) Each board of county commissioners shall use its
9 public safety coordinating council established in s. 951.26,
10 Florida Statutes, another criminal justice committee or
11 council, or a mental health and substance abuse council or
12 committee designated or established by the board of county
13 commissioners as the planning council. A county may join with
14 one or more counties to form a consortium and use a regional
15 public safety coordinating council, another regional criminal
16 justice council or committee, or a mental health and substance
17 abuse planning council or committee for the geographic area
18 represented by the member counties.

19 (2)(a) For the purposes of this section, the
20 membership of an appropriate planning council or committee
21 must include:

22 1. The state attorney, or an assistant state attorney
23 designated by the state attorney.

24 2. The public defender, or an assistant public
25 defender designated by the public defender.

26 3. A circuit judge designated by the chief judge of
27 the circuit.

28 4. A county court judge designated by the chief judge
29 of the circuit.

30 5. The chief correctional officer.

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1 6. The sheriff, or a person designated by the sheriff
2 if the sheriff is not the chief correctional officer.

3 7. A police chief or a person designated by the local
4 police chief's association.

5 8. The state probation circuit administrator, or a
6 person designated by the state probation circuit
7 administrator.

8 9. The local court administrator or the court
9 administrator's designee.

10 10. The chairperson of the board of county
11 commissioners, or another county commissioner designated by
12 the chairperson. If the planning council is a consortium of
13 counties, then a county commissioner or designee from each
14 member county.

15 11. The director of any county probation or pretrial
16 intervention program, if the county has such a program.

17 12. The director of a local substance abuse treatment
18 program, or a person designated by the director.

19 13. The director of a community mental health agency,
20 or a person designated by the director.

21 14. A representative of the substance abuse and mental
22 health program office of the Department of Children and Family
23 Services, selected by the substance abuse and mental health
24 program supervisor of the district in which the county is
25 located.

26 15. A primary consumer of mental health services,
27 selected by the substance abuse and mental health program
28 supervisor of the district in which the primary consumer
29 resides. If multiple counties apply together, a primary
30 consumer may be selected to represent each county.

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1 16. A primary consumer of substance abuse services,
2 selected by the substance abuse and mental health program
3 supervisor of the district in which the county is located. If
4 the planning council is a consortium of counties, a primary
5 consumer may be selected to represent each county.

6 17. A family member of a primary consumer of
7 community-based treatment services, selected by the abuse and
8 mental health program supervisor of the district in which the
9 family member resides.

10 18. A representative from an area homeless program or
11 a supportive housing program.

12 19. The director or designee of the detention facility
13 of the Department of Juvenile Justice.

14 (b) The chairperson of the board of county
15 commissioners or another county commissioner, if designated,
16 shall serve as the chairperson of the council or committee
17 until a chairperson is elected from the membership.

18 (c) All meetings of the planning council or committee,
19 as well as its records, books, documents, and papers, shall be
20 open and available to the public in accordance with ss. 119.07
21 and 286.011, Florida Statutes.

22 Section 3. Criminal Justice Mental Health Reinvestment
23 Grant Program requirements.--

24 (1) The Substance Abuse and Mental Health Corporation
25 Statewide Grant Review Committee, in collaboration with the
26 Department of Children and Family Services, the Department of
27 Corrections, the Department of Juvenile Justice, and the State
28 Courts Administrator's office, shall establish criteria to be
29 used by the corporation to review submitted applications and
30 to select the county that will be awarded a 1-year planning
31 grant or a 3-year implementation grant. A planning or

1 implementation grant may not be awarded unless the application
2 of the county meets the established criteria.

3 (a) The application criteria for a 1-year planning
4 grant must include a requirement that the applicant county or
5 counties have a strategic plan to initiate systemic change to
6 identify and treat individuals who have mental illnesses,
7 substance abuse disorders, or co-occurring mental health and
8 substance abuse disorders who are in, or at risk of entering,
9 the justice system. The 1-year planning grant must be used to
10 develop effective collaboration efforts among participants in
11 affected governmental agencies, including the criminal and
12 civil justice systems, mental health and substance abuse
13 treatment service providers, transportation programs, and
14 housing assistance programs. The collaboration efforts shall
15 be the basis for developing a problem-solving model and
16 strategic plan for treating persons who are in or at risk of
17 entering the criminal justice system and doing so at the
18 earliest point of contact, taking into consideration public
19 safety. The planning grant shall include strategies to divert
20 individuals from judicial commitment to community-based
21 service programs offered by the Department of Children and
22 Family Services, in accordance with ss. 916.13 and 916.17,
23 Florida Statutes.

24 (b) The application criteria for a 3-year
25 implementation grant shall require information from a county
26 that demonstrates its completion of a well-established
27 collaboration plan that includes public-private partnership
28 models and the application of evidence-based practices. The
29 implementation or expansion grants may support programs and
30 diversion initiatives that include, but need not be limited
31 to:

- 1 1. Mental health courts;
- 2 2. Diversion programs;
- 3 3. Alternative prosecution and sentencing programs;
- 4 4. Crisis-intervention teams;
- 5 5. Treatment accountability services;
- 6 6. Specialized training for criminal justice and
7 treatment services professionals;
- 8 7. Service delivery of collateral services such as
9 housing, transitional housing, and supported employment; and
- 10 8. Reentry services to create or expand mental health
11 and substance abuse and support services for affected persons.
- 12 (c) Each county application must include the following
13 information:
- 14 1. An analysis of the current jail population in the
15 county, which includes:
- 16 a. The screening and assessment process that the
17 county uses to identify a person who has a mental illness,
18 substance abuse problem, or co-occurring disorder;
- 19 b. The percentage of each category of persons admitted
20 to the jail which represents people who have a mental illness,
21 substance abuse problem, or co-occurring disorder; and
- 22 c. An analysis of observed contributing factors that
23 affect county jail population trends.
- 24 2. A description of the strategies the county intends
25 to use to serve one or more clearly defined subsets of the
26 jail population who have a mental illness or to serve those at
27 risk of arrest and incarceration. The proposed strategies may
28 include identifying the population designated to receive the
29 new interventions, a description of the services and
30 supervision methods to be applied to that population, and the
31 goals and measurable objectives of the new interventions. The

1 interventions a county may use with the target population may
2 include, but are not limited to:
3 a. Specialized responses by law enforcement agencies;
4 b. Centralized receiving facilities for individuals
5 evidencing behavioral difficulties;
6 c. Post-booking alternatives to incarceration;
7 d. New court programs, including pretrial services and
8 specialized dockets;
9 e. Specialized diversion programs;
10 f. Intensified transition services that are directed
11 to the designated populations while they are in jail to
12 facilitate the person's transition to the community;
13 g. Specialized probation processes;
14 h. Day-reporting centers;
15 i. Linkages to community-based, evidence-based
16 treatment programs for people who have mental illness or
17 substance abuse problems; and
18 j. Community services and programs designed to prevent
19 criminal justice involvement of high-risk populations.
20 3. The projected effect the proposed initiatives will
21 have on the jail population and the jail's budget. The
22 information must include:
23 a. The county's estimate of how the initiative will
24 reduce the expenditures associated with the incarceration of
25 people who have a mental illness;
26 b. The methodology that the county intends to use to
27 measure the defined outcomes, and the corresponding savings or
28 averted costs;
29 c. The county's estimate of how the cost savings or
30 averted costs will sustain or expand the mental health and
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1 substance abuse treatment services and supports needed in the
2 community; and

3 d. How the county's proposed initiative will reduce
4 the number of individuals judicially committed to a state
5 mental health treatment facility.

6 4. The proposed strategies that the county intends to
7 use to preserve and enhance its community mental health and
8 substance abuse system, which serves as the local behavioral
9 health safety net for low-income and uninsured individuals.

10 5. The proposed strategies that the county intends to
11 use to continue the implemented or expanded programs and
12 initiatives that have resulted from the grant funding.

13 (2)(a) As used in this subsection, the term "available
14 resources" includes in-kind contributions from participating
15 counties.

16 (b) A 1-year planning grant may not be awarded unless
17 the applicant county makes available resources in an amount
18 equal to the total amount of the grant. A planning grant may
19 not be used to supplant funding for existing programs.

20 (c) A 3-year implementation or expansion grant may not
21 be awarded unless the applicant county or consortium of
22 counties makes available resources equal to the total amount
23 of the grant. This match shall be used for expansion of
24 services and may not supplant existing funds for services. An
25 implementation or expansion grant must support the
26 implementation of new services or the expansion of services
27 and may not be used to supplant existing services.

28 (3) Using the criteria adopted by rule, the county
29 designated or established criminal justice, mental health, and
30 substance abuse planning council or committee shall prepare
31 the county or counties' application for the 1-year planning or

1 3-year implementation or expansion grant. The county shall
2 submit the completed application to the corporation statewide
3 grant review committee.

4 Section 4. Criminal Justice, Mental Health, and
5 Substance Abuse Technical Assistance Center.--

6 (1) There is created a Criminal Justice, Mental
7 Health, and Substance Abuse Technical Assistance Center at the
8 Louis de la Parte Florida Mental Health Institute at the
9 University of South Florida which shall:

10 (a) Provide technical assistance to counties in
11 preparing a grant application.

12 (b) Assist an applicant county in projecting the
13 effect of the proposed intervention on the population of the
14 county detention facility.

15 (c) Assist an applicant county in monitoring the
16 effect of the effect of a grant award on the criminal justice
17 system in the county.

18 (d) Disseminate and share evidence-based practices and
19 best practices among grantees.

20 (e) Act as a clearinghouse for information and
21 resources related to criminal justice, mental health, and
22 substance abuse.

23 (f) Coordinate and organize the process of the state
24 interagency justice, mental health, and substance abuse work
25 group with the outcomes of the local grant projects for state
26 and local policy and budget developments and system planning.

27 (2) The Substance Abuse and Mental Health Corporation
28 and the Criminal Justice, Mental Health, and Substance Abuse
29 Technical Assistance Center shall submit an annual report to
30 the Governor, the President of the Senate, and the Speaker of
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1 the House of Representatives by January 1 of each year,
2 beginning on January 1, 2009. The report must include:

3 (a) A detailed description of the progress made by
4 each grantee in meeting the goals described in the
5 application;

6 (b) A description of the effect the grant-funded
7 initiatives have had on meeting the needs of persons who have
8 mental illness, substance use disorders, or co-occurring
9 mental health and substance use disorders, therefore reducing
10 the number of forensic commitments to state mental health
11 treatment facilities;

12 (c) A summary of the effect of the grant program on
13 the jail and prison growth and expenditures;

14 (d) A summary of the initiative's effect on the
15 availability and accessibility of effective community-based
16 mental health and substance abuse treatment services for
17 people who have mental illnesses, substance use disorders, or
18 co-occurring mental health and substance use disorders. The
19 summary must describe how the expanded community diversion
20 alternatives have reduced incarceration and commitments to
21 state mental health treatment facilities; and

22 (e) A summary of how the local matching funds provided
23 by the county or consortium leveraged additional funding to
24 further the goals of the grant program.

25 Section 5. Administrative costs and number of grants
26 awarded.--

27 (1) The administrative costs for each applicant county
28 or consortium of counties may not exceed 10 percent of the
29 total funding received for any grant.

30 (2) The number of grants awarded shall be based on
31 funding appropriated for that purpose.

1 Section 6. Subsection (12) is added to section
2 394.655, Florida Statutes, to read:

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

6 (12)(a) There is established a Criminal Justice Mental
7 Health Policy Council within the Florida Substance Abuse and
8 Mental Health Corporation. The members of the council are:

- 9 1. The chairperson of the corporation;
- 10 2. The Secretary of Children and Family Services;
- 11 3. The Secretary of Corrections;
- 12 4. The Secretary of Health Care Administration;
- 13 5. The Secretary of Juvenile Justice;
- 14 6. The Secretary of Elderly Affairs; and
- 15 7. The State Courts Administrator.

16 (b) The purpose of the council shall be to align
17 policy initiatives in the criminal justice and mental health
18 systems to ensure the most effective use of resources and to
19 coordinate the development of legislative proposals and budget
20 requests relating to the shared needs of persons who have
21 mental illnesses, substance abuse disorders, and co-occurring
22 disorders who are in, or at risk of entering, the criminal
23 justice system.

24 (c) The council shall work in conjunction with the
25 local grantees to ensure that effective strategies identified
26 by local grantees are disseminated statewide and to create a
27 feedback loop for purposes of policy and budget development
28 and system change and improvement. The council shall
29 coordinate its efforts with the Criminal Justice, Mental
30 Health, and Substance Abuse Technical Assistance Center.

1 (d) Each member agency of the council shall designate
2 an agency liaison to assist in the work of the policy council.

3 Section 7. This act shall take effect upon becoming a
4 law.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 542

9 The committee substitute:

- 10 1. Clarifies the membership of the statewide grant review
11 subcommittee;
- 12 2. Allows a county to apply for one-year, rather than
13 six-month, planning grants as well as for three-year
14 implementation grants;
- 15 3. Allows a county to use either its Public Safety
16 Coordinating Council or another body to make applications
17 for grants and adds to the membership requirements of
18 this body;
- 19 4. Provides that the grant review committee, rather than
20 DCF, will establish criteria for awarding grants, and
21 specifies certain information that must be included in
22 the application criteria;
- 23 5. Provides that the applicant county must make available
24 resources in an amount equal to 100 percent, rather than
25 25 percent, of the amount of the grant;
- 26 6. Takes out the requirement that DCF be involved in the
27 establishment of a technical assistance center or the
28 presentation of an annual report; and
- 29 7. Corrects technical deficiencies.
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