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 HB 5307, Engrossed 1

2010 Legislature

1 A bill to be entitled
 2 An act relating to mental health and substance abuse;
 3 repealing s. 394.655, F.S., relating to the establishment
 4 of the Substance Abuse and Mental Health Corporation;
 5 amending ss. 14.20195, 394.656, 394.657, 394.658, and
 6 394.659, F.S.; conforming references to changes made by
 7 the act; providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Section 394.655, Florida Statutes, is repealed.

12 Section 2. Paragraph (a) of subsection (2) of section
 13 14.20195, Florida Statutes, is amended to read:

14 14.20195 Suicide Prevention Coordinating Council;
 15 creation; membership; duties.—There is created within the
 16 Statewide Office for Suicide Prevention a Suicide Prevention
 17 Coordinating Council. The council shall develop strategies for
 18 preventing suicide.

19 (2) MEMBERSHIP.—The Suicide Prevention Coordinating
 20 Council shall consist of 27 ~~28~~ voting members.

21 (a) Thirteen ~~Fourteen~~ members shall be appointed by the
 22 director of the Office of Drug Control and shall represent the
 23 following organizations:

24 ~~1. The Substance Abuse and Mental Health Corporation~~
 25 ~~described in s. 394.655.~~

26 1.2. The Florida Association of School Psychologists.

27 2.3. The Florida Sheriffs Association.

28 3.4. The Suicide Prevention Action Network USA.

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- 29 ~~4.5.~~ The Florida Initiative of Suicide Prevention.
- 30 ~~5.6.~~ The Florida Suicide Prevention Coalition.
- 31 ~~6.7.~~ The Alzheimer's Association.
- 32 ~~7.8.~~ The Florida School Board Association.
- 33 ~~8.9.~~ Volunteer Florida.
- 34 ~~9.10.~~ The state chapter of AARP.
- 35 ~~10.11.~~ The Florida Alcohol and Drug Abuse Association.
- 36 ~~11.12.~~ The Florida Council for Community Mental Health.
- 37 ~~12.13.~~ The Florida Counseling Association.
- 38 ~~13.14.~~ NAMI Florida.

39 Section 3. Subsection (2) of section 394.656, Florida
 40 Statutes, is amended to read:

41 394.656 Criminal Justice, Mental Health, and Substance
 42 Abuse Reinvestment Grant Program.—

43 (2) The department ~~Florida Substance Abuse and Mental~~
 44 ~~Health Corporation, Inc., created in s. 394.655,~~ shall establish
 45 a Criminal Justice, Mental Health, and Substance Abuse Statewide
 46 Grant Review Committee. The committee shall include:

47 ~~(a) Five current members or appointees of the corporation;~~

48 ~~(a)(b)~~ (a) One representative of the Department of Children
 49 and Family Services;

50 ~~(b)(c)~~ (b) One representative of the Department of
 51 Corrections;

52 ~~(c)(d)~~ (c) One representative of the Department of Juvenile
 53 Justice;

54 ~~(d)(e)~~ (d) One representative of the Department of Elderly
 55 Affairs; and

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56 | ~~(e)-(f)~~ One representative of the Office of the State
57 | Courts Administrator.

58 |
59 | To the extent possible, the members of the committee shall have
60 | expertise in grant writing, grant reviewing, and grant
61 | application scoring.

62 | Section 4. Subsection (1) of section 394.657, Florida
63 | Statutes, is amended to read:

64 | 394.657 County planning councils or committees.—

65 | (1) Each board of county commissioners shall designate the
66 | county public safety coordinating council established under s.
67 | 951.26, or designate another criminal or juvenile justice mental
68 | health and substance abuse council or committee, as the planning
69 | council or committee. The public safety coordinating council or
70 | other designated criminal or juvenile justice mental health and
71 | substance abuse council or committee, in coordination with the
72 | county offices of planning and budget, shall make a formal
73 | recommendation to the board of county commissioners regarding
74 | how the Criminal Justice, Mental Health, and Substance Abuse
75 | Reinvestment Grant Program may best be implemented within a
76 | community. The board of county commissioners may assign any
77 | entity to prepare the application on behalf of the county
78 | administration for submission to the Criminal Justice, Mental
79 | Health, and Substance Abuse Statewide Grant Review Committee
80 | ~~corporation~~ for review. A county may join with one or more
81 | counties to form a consortium and use a regional public safety
82 | coordinating council or another county-designated regional
83 | criminal or juvenile justice mental health and substance abuse

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84 | planning council or committee for the geographic area
85 | represented by the member counties.

86 | Section 5. Subsection (1) of section 394.658, Florida
87 | Statutes, is amended to read:

88 | 394.658 Criminal Justice, Mental Health, and Substance
89 | Abuse Reinvestment Grant Program requirements.—

90 | (1) The Criminal Justice, Mental Health, and Substance
91 | ~~Abuse and Mental Health Corporation~~ Statewide Grant Review
92 | Committee, in collaboration with the Department of Children and
93 | Family Services, the Department of Corrections, the Department
94 | of Juvenile Justice, the Department of Elderly Affairs, and the
95 | Office of the State Courts Administrator, shall establish
96 | criteria to be used ~~by the corporation~~ to review submitted
97 | applications and to select the county that will be awarded a 1-
98 | year planning grant or a 3-year implementation or expansion
99 | grant. A planning, implementation, or expansion grant may not be
100 | awarded unless the application of the county meets the
101 | established criteria.

102 | (a) The application criteria for a 1-year planning grant
103 | must include a requirement that the applicant county or counties
104 | have a strategic plan to initiate systemic change to identify
105 | and treat individuals who have a mental illness, substance abuse
106 | disorder, or co-occurring mental health and substance abuse
107 | disorders who are in, or at risk of entering, the criminal or
108 | juvenile justice systems. The 1-year planning grant must be used
109 | to develop effective collaboration efforts among participants in
110 | affected governmental agencies, including the criminal,
111 | juvenile, and civil justice systems, mental health and substance

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112 abuse treatment service providers, transportation programs, and
113 housing assistance programs. The collaboration efforts shall be
114 the basis for developing a problem-solving model and strategic
115 plan for treating adults and juveniles who are in, or at risk of
116 entering, the criminal or juvenile justice system and doing so
117 at the earliest point of contact, taking into consideration
118 public safety. The planning grant shall include strategies to
119 divert individuals from judicial commitment to community-based
120 service programs offered by the Department of Children and
121 Family Services in accordance with ss. 916.13 and 916.17.

122 (b) The application criteria for a 3-year implementation
123 or expansion grant shall require information from a county that
124 demonstrates its completion of a well-established collaboration
125 plan that includes public-private partnership models and the
126 application of evidence-based practices. The implementation or
127 expansion grants may support programs and diversion initiatives
128 that include, but need not be limited to:

- 129 1. Mental health courts;
- 130 2. Diversion programs;
- 131 3. Alternative prosecution and sentencing programs;
- 132 4. Crisis intervention teams;
- 133 5. Treatment accountability services;
- 134 6. Specialized training for criminal justice, juvenile
135 justice, and treatment services professionals;
- 136 7. Service delivery of collateral services such as
137 housing, transitional housing, and supported employment; and
- 138 8. Reentry services to create or expand mental health and
139 substance abuse services and supports for affected persons.

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140 (c) Each county application must include the following
 141 information:

142 1. An analysis of the current population of the jail and
 143 juvenile detention center in the county, which includes:

144 a. The screening and assessment process that the county
 145 uses to identify an adult or juvenile who has a mental illness,
 146 substance abuse disorder, or co-occurring mental health and
 147 substance abuse disorders;

148 b. The percentage of each category of persons admitted to
 149 the jail and juvenile detention center that represents people
 150 who have a mental illness, substance abuse disorder, or co-
 151 occurring mental health and substance abuse disorders; and

152 c. An analysis of observed contributing factors that
 153 affect population trends in the county jail and juvenile
 154 detention center.

155 2. A description of the strategies the county intends to
 156 use to serve one or more clearly defined subsets of the
 157 population of the jail and juvenile detention center who have a
 158 mental illness or to serve those at risk of arrest and
 159 incarceration. The proposed strategies may include identifying
 160 the population designated to receive the new interventions, a
 161 description of the services and supervision methods to be
 162 applied to that population, and the goals and measurable
 163 objectives of the new interventions. The interventions a county
 164 may use with the target population may include, but are not
 165 limited to:

166 a. Specialized responses by law enforcement agencies;

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- 167 b. Centralized receiving facilities for individuals
- 168 evidencing behavioral difficulties;
- 169 c. Postbooking alternatives to incarceration;
- 170 d. New court programs, including pretrial services and
- 171 specialized dockets;
- 172 e. Specialized diversion programs;
- 173 f. Intensified transition services that are directed to
- 174 the designated populations while they are in jail or juvenile
- 175 detention to facilitate their transition to the community;
- 176 g. Specialized probation processes;
- 177 h. Day-reporting centers;
- 178 i. Linkages to community-based, evidence-based treatment
- 179 programs for adults and juveniles who have mental illness or
- 180 substance abuse disorders; and
- 181 j. Community services and programs designed to prevent
- 182 high-risk populations from becoming involved in the criminal or
- 183 juvenile justice system.
- 184 3. The projected effect the proposed initiatives will have
- 185 on the population and the budget of the jail and juvenile
- 186 detention center. The information must include:
- 187 a. The county's estimate of how the initiative will reduce
- 188 the expenditures associated with the incarceration of adults and
- 189 the detention of juveniles who have a mental illness;
- 190 b. The methodology that the county intends to use to
- 191 measure the defined outcomes and the corresponding savings or
- 192 averted costs;
- 193 c. The county's estimate of how the cost savings or
- 194 averted costs will sustain or expand the mental health and

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195 substance abuse treatment services and supports needed in the
 196 community; and

197 d. How the county's proposed initiative will reduce the
 198 number of individuals judicially committed to a state mental
 199 health treatment facility.

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

204 5. The proposed strategies that the county intends to use
 205 to continue the implemented or expanded programs and initiatives
 206 that have resulted from the grant funding.

207 Section 6. Subsection (2) of section 394.659, Florida
 208 Statutes, is amended to read:

209 394.659 Criminal Justice, Mental Health, and Substance
 210 Abuse Technical Assistance Center.—

211 (2) ~~The Substance Abuse and Mental Health Corporation and~~
 212 ~~the~~ Criminal Justice, Mental Health, and Substance Abuse
 213 Technical Assistance Center shall submit an annual report to the
 214 Governor, the President of the Senate, and the Speaker of the
 215 House of Representatives by January 1 of each year, ~~beginning on~~
 216 ~~January 1, 2009~~. The report must include:

217 (a) A detailed description of the progress made by each
 218 grantee in meeting the goals described in the application;

219 (b) A description of the effect the grant-funded
 220 initiatives have had on meeting the needs of adults and
 221 juveniles who have a mental illness, substance abuse disorder,
 222 or co-occurring mental health and substance abuse disorders,

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223 thereby reducing the number of forensic commitments to state
224 mental health treatment facilities;

225 (c) A summary of the effect of the grant program on the
226 growth and expenditures of the jail, juvenile detention center,
227 and prison;

228 (d) A summary of the initiative's effect on the
229 availability and accessibility of effective community-based
230 mental health and substance abuse treatment services for adults
231 and juveniles who have a mental illness, substance abuse
232 disorder, or co-occurring mental health and substance abuse
233 disorders. The summary must describe how the expanded community
234 diversion alternatives have reduced incarceration and
235 commitments to state mental health treatment facilities; and

236 (e) A summary of how the local matching funds provided by
237 the county or consortium of counties leveraged additional
238 funding to further the goals of the grant program.

239 Section 7. This act shall take effect July 1, 2010.