

A bill to be entitled

An act relating to the Baker Act; requiring the Department of Children and Families to create a work group to provide recommendations relating to revision of the Baker Act; requiring the work group to make recommendations on specified topics; providing for membership of the work group; providing for meetings; requiring the work group to meet by a specified date; requiring a review of draft recommendations by a specified date; requiring the work group to submit a report to specified entities and the Legislature by a specified date; providing an effective date.

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

Section 1. Work group to improve operational effectiveness of the Baker Act.—The Department of Children and Families shall create a work group to evaluate methods to improve the operational effectiveness of the Baker Act and recommend changes to existing laws, rules, and agency policies needed to implement the work group's recommendations.

(1) At a minimum, the work group shall evaluate and make recommendations on the following:

(a) The timeframe for initial assessment, including whether the timeframe should be lengthened.

(b) The use of advanced registered nurse practitioners to

27 rescind Baker Act commitments.

28 (c) The use of telemedicine for patient evaluation, case
 29 management, and ongoing care and the recommendation by the
 30 courts on the use of telemedicine to improve management of
 31 patient care and to reduce costs of transportation and public
 32 safety.

33 (d) The 7-day requirement for followup care and its
 34 applicability to outpatient providers.

35 (e) Other areas deemed by the work group to improve the
 36 operational effectiveness of the act.

37 (2) The work group shall consist of the following
 38 stakeholders:

39 (a) A representative of the Department of Children and
 40 Families who shall serve as chair, appointed by the department.

41 (b) Two representatives of public-receiving facilities and
 42 two representatives of specialty hospitals, appointed by the
 43 Florida Hospital Association.

44 (c) Two representatives of crisis stabilization units,
 45 appointed by the Department of Children and Families.

46 (d) A representative of law enforcement agencies,
 47 appointed by the Florida Sheriffs Association.

48 (e) A member of the judiciary who regularly evaluates
 49 Baker Act cases, appointed by the Florida Supreme Court.

50 (f) A public defender, appointed by the Florida Public
 51 Defender Association, Inc.

52 (g) A state attorney, appointed by the Florida Prosecuting

53 Attorneys Association.

54 (h) A physician who provides care within a Baker Act
55 receiving facility, appointed by the Florida Medical
56 Association.

57 (i) A physician who regularly screens patients who meet
58 Baker Act criteria, appointed by the Florida College of
59 Emergency Physicians.

60 (j) A representative from a managing entity, appointed by
61 the Department of Children and Families.

62 (k) A representative of the Agency for Health Care
63 Administration, appointed by the agency.

64 (l) Two representatives of the Florida Council for
65 Community Mental Health, appointed by the council.

66 (m) An advanced registered nurse practitioner who works in
67 a Baker Act receiving facility and who treats patients who meet
68 Baker Act criteria, appointed by the Florida Nurses Association.

69 (3) The work group shall meet in Tallahassee and shall
70 determine the frequency of its meetings. Individual work group
71 members are responsible for their travel expenses.

72 (4) Members of the work group shall be appointed by June
73 1, 2014, and the first meeting of the work group shall take
74 place before July 1, 2014. The work group shall review a draft
75 of its recommendations before September 1, 2014. By November 1,
76 2014, the work group shall provide a final report to the
77 Secretary of the Department of Children and Families, the
78 Secretary of the Agency for Health Care Administration, the

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79 President of the Senate, and the Speaker of the House of
80 Representatives. The report must include the work group's
81 findings and recommended statutory and administrative rule
82 changes.

83 Section 2. This act shall take effect upon becoming a law.