

By the Committee on Children, Families, and Elder Affairs; and
Senator Abruzzo

586-03980-14

20141584c1

1 A bill to be entitled
2 An act relating to the Baker Act; requiring the
3 Department of Children and Families to create a work
4 group to provide recommendations relating to revision
5 of the Baker Act; requiring the work group to make
6 recommendations on specified topics; providing for
7 membership of the work group; providing for meetings;
8 requiring the work group to meet by a specified date;
9 requiring a review of draft recommendations by a
10 specified date; requiring the work group to submit a
11 report to specified entities and the Legislature by a
12 specified date; providing an effective date.

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

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

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

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

26 (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

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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, appointed by the department, who shall serve as chair.

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, appointed
47 by the Florida Sheriffs Association.

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

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

52 (g) A state attorney, appointed by the Florida Prosecuting
53 Attorneys Association.

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

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

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

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

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

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

69 (n) Two advanced registered nurse practitioners who are
70 nationally certified in mental health, one appointed by the
71 Florida Association of Nurse Practitioners and one appointed by
72 the Florida Nurse Practitioner Network.

73 (o) A psychologist licensed under chapter 490, Florida
74 Statutes, appointed by the Florida Psychological Association.

75 (p) A psychiatrist with experience in the Baker Act,
76 appointed by the Florida Psychiatric Society.

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

80 (4) Members of the work group shall be appointed by June 1,
81 2014, and the first meeting of the work group shall take place
82 before July 1, 2014. The work group shall review a draft of its
83 recommendations before September 1, 2014. By November 1, 2014,
84 the work group shall provide a final report to the Secretary of
85 Children and Families, the Secretary of the Agency for Health
86 Care Administration, the President of the Senate, and the
87 Speaker of the House of Representatives. The report must include

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88 the work group's findings and recommended statutory and
89 administrative rule changes.

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