



824498

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/25/2014 10:48 AM

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Senator Abruzzo moved the following:

Senate Amendment (with title amendment)

Between lines 3727 and 3728

insert:

Section 49. 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



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12 recommendations on the following:

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

15 (b) The use of advanced registered nurse practitioners to
16 rescind Baker Act commitments.

17 (c) The use of telemedicine for patient evaluation, case
18 management, and ongoing care and the recommendation by the
19 courts on the use of telemedicine to improve management of
20 patient care and to reduce costs of transportation and public
21 safety.

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

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

26 (2) The work group shall consist of the following
27 stakeholders:

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

30 (b) Two representatives of public receiving facilities,
31 including one that provides treatment for substance abuse
32 disorders, and two representatives of specialty hospitals,
33 appointed by the Florida Hospital Association.

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

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

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

40 (f) A public defender, appointed by the Florida Public



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41 Defender Association.

42 (g) A state attorney, appointed by the Florida Prosecuting
43 Attorneys Association.

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

46 (i) A physician who regularly screens patients who meet the
47 Baker Act criteria, appointed by the Florida College of
48 Emergency Physicians.

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

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

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

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

59 (n) Two advanced registered nurse practitioners who are
60 nationally certified in mental health, one appointed by the
61 Florida Association of Nurse Practitioners and one appointed by
62 the Florida Nurse Practitioner Network.

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

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

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



70 (4) Members of the work group shall be appointed by June 1,
71 2014, and the first meeting of the work group shall take place
72 before July 1, 2014. The work group shall review a draft of its
73 recommendations before September 1, 2014. By November 1, 2014,
74 the work group shall provide a final report to the Secretary of
75 Children and Families, the Secretary of the Agency for Health
76 Care Administration, the President of the Senate, and the
77 Speaker of the House of Representatives. The report must include
78 the work group's findings and recommended statutory and
79 administrative rule changes.

80
81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83 Delete line 186

84 and insert:

85 state universities; requiring the Department of
86 Children and Families to create a work group to
87 provide recommendations relating to revision of the
88 Baker Act; requiring the work group to make
89 recommendations on specified topics; providing for
90 membership of the work group; providing for meetings;
91 requiring the work group to meet by a specified date;
92 requiring a review of draft recommendations by a
93 specified date; requiring the work group to submit a
94 report to specified entities and the Legislature by a
95 specified date; amending ss. 39.201, 39.302,