

By Senator Braynon

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1                   A bill to be entitled  
2       An act relating to mental health early intervention;  
3       providing a short title; amending s. 394.463, F.S.;  
4       authorizing physician assistants and advanced  
5       registered nurse practitioners to initiate involuntary  
6       examinations under the Baker Act of persons believed  
7       to have mental illness; creating s. 394.47892, F.S.;  
8       providing legislative findings; adding curriculum  
9       requirements to the basic training programs for  
10      certain first responders; requiring the Department of  
11      Children and Families, in consultation with specified  
12      entities, to adopt standards for the training of  
13      certain first responders in mental health; providing  
14      requirements for such training; providing an effective  
15      date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19       Section 1. This act may be cited as the "Florida Mental  
20 Health Early Intervention Act of 2015."

21       Section 2. Paragraph (a) of subsection (2) of section  
22 394.463, Florida Statutes, is amended to read:

23       394.463 Involuntary examination.—

24       (2) INVOLUNTARY EXAMINATION.—

25       (a) An involuntary examination may be initiated by any one  
26 of the following means:

27       1. A court may enter an ex parte order stating that a  
28 person appears to meet the criteria for involuntary examination,  
29 giving the findings on which that conclusion is based. The ex

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30 parte order for involuntary examination must be based on sworn  
31 testimony, written or oral. If other less restrictive means are  
32 not available, such as voluntary appearance for outpatient  
33 evaluation, a law enforcement officer, or other designated agent  
34 of the court, shall take the person into custody and deliver him  
35 or her to the nearest receiving facility for involuntary  
36 examination. The order of the court shall be made a part of the  
37 patient's clinical record. No fee shall be charged for the  
38 filing of an order under this subsection. Any receiving facility  
39 accepting the patient based on this order must send a copy of  
40 the order to the Agency for Health Care Administration on the  
41 next working day. The order shall be valid only until executed  
42 or, if not executed, for the period specified in the order  
43 itself. If no time limit is specified in the order, the order  
44 shall be valid for 7 days after the date that the order was  
45 signed.

46 2. A law enforcement officer shall take a person who  
47 appears to meet the criteria for involuntary examination into  
48 custody and deliver the person or have him or her delivered to  
49 the nearest receiving facility for examination. The officer  
50 shall execute a written report detailing the circumstances under  
51 which the person was taken into custody, and the report shall be  
52 made a part of the patient's clinical record. Any receiving  
53 facility accepting the patient based on this report must send a  
54 copy of the report to the Agency for Health Care Administration  
55 on the next working day.

56 3. A physician, physician assistant, clinical psychologist,  
57 psychiatric nurse, mental health counselor, marriage and family  
58 therapist, ~~or~~ clinical social worker, or advanced registered

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59 nurse practitioner may execute a certificate stating that he or  
60 she has examined a person within the preceding 48 hours and  
61 finds that the person appears to meet the criteria for  
62 involuntary examination and stating the observations upon which  
63 that conclusion is based. If other less restrictive means are  
64 not available, such as voluntary appearance for outpatient  
65 evaluation, a law enforcement officer shall take the person  
66 named in the certificate into custody and deliver him or her to  
67 the nearest receiving facility for involuntary examination. The  
68 law enforcement officer shall execute a written report detailing  
69 the circumstances under which the person was taken into custody.  
70 The report and certificate shall be made a part of the patient's  
71 clinical record. Any receiving facility accepting the patient  
72 based on this certificate must send a copy of the certificate to  
73 the Agency for Health Care Administration on the next working  
74 day.

75 Section 3. Section 394.47892, Florida Statutes, is created  
76 to read:

77 394.47892 First responder training in mental health.-

78 (1) The Legislature finds that an emergency medical  
79 technician, a paramedic, a firefighter, or a law enforcement  
80 officer is likely to be the first responder to a request for  
81 assistance involving a person with a mental illness. The  
82 Legislature further finds that these first responders should be  
83 trained in appropriate responses to calls involving a person  
84 with a mental illness.

85 (2) The basic training programs required for certification  
86 as an emergency medical technician, a paramedic, a firefighter,  
87 or a law enforcement officer as defined in s. 943.10 must

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88 include a curriculum that contains instruction to help identify  
89 and understand the signs of mental illness and provide the first  
90 responder with skills to appropriately help a person who is  
91 developing or experiencing a mental health problem.

92 (3) The department, in consultation with the Emergency  
93 Medical Services Advisory Council; the Firefighters Employment,  
94 Standards, and Training Council; and the Criminal Justice  
95 Standards and Training Commission, shall adopt, by rule,  
96 curriculum standards for the required basic training programs of  
97 the first responders specified in subsection (2).

98 Section 4. This act shall take effect July 1, 2015.