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LEGISLATIVE ACTION

Senate

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House

Senator Abruzzo moved the following:

Senate Amendment (with title amendment)

Between lines 4334 and 4335
insert:

Section 43. Workgroup to improve operational effectiveness of the Baker Act.—The Department of Children and Families shall create a workgroup 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 workgroup's recommendations.

(1) At a minimum, the workgroup 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 workgroup to improve the
25 operational effectiveness of the Baker Act.

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

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

31 (b) Two representatives of public receiving facilities and
32 two representatives of specialty hospitals, appointed by the
33 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 Chief Justice of the 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 within a Baker Act
45 receiving facility, appointed by the Florida Medical
46 Association.

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

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

52 (k) A representative of the Agency for Health Care
53 Administration, appointed by the Secretary of Health Care
54 Administration.

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

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

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

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

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

68 (3) The workgroup shall meet in Tallahassee and shall
69 determine the frequency of its meetings. Individual workgroup



70 members are responsible for their travel expenses.

71 (4) Members of the workgroup shall be appointed by August
72 1, 2015, and the first meeting of the workgroup must take place
73 before September 1, 2015. The workgroup shall review a draft of
74 its recommendations before November 1, 2015. By January 1, 2016,
75 the workgroup shall provide a final report to the Secretary of
76 Children and Families, the Secretary of Health Care
77 Administration, the President of the Senate, and the Speaker of
78 the House of Representatives. The report must include the
79 workgroup's findings and recommended statutory and
80 administrative rule changes.

81 (5) At the discretion of the chair of the workgroup, the
82 workgroup is authorized to request other stakeholders and
83 organizations involved in mental health issues and the Baker Act
84 to participate in meetings of the workgroup in order to offer
85 subject matter expertise to assist the workgroup in its review
86 of the Baker Act.

87
88 ===== T I T L E A M E N D M E N T =====

89 And the title is amended as follows:

90 Delete line 328

91 and insert:

92 procedures; requiring the Department of Children and
93 Families to create a workgroup to provide
94 recommendations relating to revision of the Baker Act;
95 requiring the workgroup to make recommendations on
96 specified topics; providing for membership of the
97 workgroup; providing for meetings; requiring the
98 workgroup to meet by a specified date; requiring a



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99 review of draft recommendations by a specified date;
100 requiring the workgroup to submit a report to
101 specified entities and the Legislature by a specified
102 date; authorizing the workgroup to request specified
103 stakeholders and organizations to participate in
104 workgroup meetings; amending ss. 39.407, 394.4612,
105 394.495,