

1                                   A bill to be entitled  
 2           An act relating to involuntary admission to  
 3           residential services; amending s. 393.11, F.S.;  
 4           requiring the Agency for Persons with Disabilities to  
 5           contract with a qualified evaluator to conduct a  
 6           review of the status of persons involuntarily admitted  
 7           to residential services provided by the agency;  
 8           requiring a review of such placements by the court at  
 9           a hearing; requiring the agency to provide a copy of  
 10          the review and reasonable notice of the hearing to  
 11          specified persons; defining the term "qualified  
 12          evaluator"; 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. Subsection (14) is added to section 393.11,  
 17 Florida Statutes, to read:

18           393.11 Involuntary admission to residential services.—

19           (14) REVIEW OF CONTINUED INVOLUNTARY ADMISSION TO  
 20 RESIDENTIAL SERVICES.—If a person is involuntarily admitted to  
 21 residential services provided by the agency, the agency shall  
 22 contract with a qualified evaluator to conduct a review  
 23 annually, unless otherwise ordered, to determine the propriety  
 24 of the person's continued involuntary admission to residential  
 25 services based on the criteria in paragraph (8) (b). The review  
 26 shall include an assessment of the most appropriate and least

27 restrictive type of residential placement for the person. A  
28 placement resulting from an involuntary admission to residential  
29 services must be reviewed by the court at a hearing annually,  
30 unless a shorter review period is ordered at a previous hearing.  
31 The agency shall provide to the court the completed reviews by  
32 the qualified evaluator. The review and hearing must determine  
33 whether the person continues to meet the criteria in paragraph  
34 (8) (b) and, if so, whether the person still requires involuntary  
35 placement in a residential setting and whether the person is  
36 receiving adequate care, treatment, habilitation, and  
37 rehabilitation in the residential setting. The agency shall  
38 provide a copy of the review and reasonable notice of the  
39 hearing to the appropriate state attorney, if applicable, the  
40 person's attorney, and the person's guardian or guardian  
41 advocate, if appointed. For purposes of this section, the term  
42 "qualified evaluator" means a licensed psychologist who has  
43 demonstrated to the court an expertise in the diagnosis,  
44 evaluation, and treatment of persons who have intellectual  
45 disabilities.

46 Section 2. This act shall take effect July 1, 2016.