



26 | after the minor's arrival at the facility. The facility may  
27 | delay notification for no more than 24 hours after the minor's  
28 | arrival if the facility has submitted a report to the central  
29 | abuse hotline, pursuant to s. 39.201, based upon knowledge or  
30 | suspicion of abuse, abandonment, or neglect and if the facility  
31 | deems a delay in notification to be in the minor's best  
32 | interest.

33 | b. If the minor is under the age of 18, the receiving  
34 | facility shall refer the case to the clerk of the court for the  
35 | appointment of a public defender within the first 24 hours after  
36 | the minor's arrival for potential initiation of a judicial  
37 | review hearing. An attorney who represents the minor shall have  
38 | access to all records relevant to the presentation of the  
39 | minor's case. All hearings involving children under the age of  
40 | 18 shall be conducted in the physical presence of the child and  
41 | not by electronic or video means. A person who violates this  
42 | sub-subparagraph commits a misdemeanor of the first degree,  
43 | punishable as provided in s. 775.082 or s. 775.083.

44 | 2. The receiving facility shall attempt to notify the  
45 | minor's parent, guardian, caregiver, or guardian advocate until  
46 | the receiving facility receives confirmation from the parent,  
47 | guardian, caregiver, or guardian advocate, verbally, by  
48 | telephone or other form of electronic communication, or by  
49 | recorded message, that notification has been received. Attempts  
50 | to notify the parent, guardian, caregiver, or guardian advocate

51 must be repeated at least once every hour during the first 12  
52 hours after the minor's arrival and once every 24 hours  
53 thereafter and must continue until such confirmation is  
54 received, unless the minor is released at the end of the 72-hour  
55 examination period, or until a petition for involuntary services  
56 is filed with the court pursuant to s. 394.463(2)(g). The  
57 receiving facility may seek assistance from a law enforcement  
58 agency to notify the minor's parent, guardian, caregiver, or  
59 guardian advocate if the facility has not received within the  
60 first 24 hours after the minor's arrival a confirmation by the  
61 parent, guardian, caregiver, or guardian advocate that  
62 notification has been received. The receiving facility must  
63 document notification attempts in the minor's clinical record.

64 Section 2. Section 394.4785, Florida Statutes, is amended  
65 to read:

66 394.4785 Children and Adolescents; admission and placement  
67 in mental health facilities.—

68 (1) A child or adolescent as defined in s. 394.492 may not  
69 be admitted to a state-owned or state-operated mental health  
70 treatment facility. A child may be admitted pursuant to s.  
71 394.4625 or s. 394.467 to a crisis stabilization unit or a  
72 residential treatment center licensed under this chapter or a  
73 hospital licensed under chapter 395. The treatment center, unit,  
74 or hospital must provide the least restrictive available  
75 treatment that is appropriate to the individual needs of the

76 child or adolescent and must adhere to the guiding principles,  
77 system of care, and service planning provisions contained in  
78 part III of this chapter.

79 (2) A person under the age of 14 who is admitted to any  
80 hospital licensed pursuant to chapter 395 may not be admitted to  
81 a bed in a room or ward with an adult patient in a mental health  
82 unit or share common areas with an adult patient in a mental  
83 health unit. However, a person 14 years of age or older may be  
84 admitted to a bed in a room or ward in the mental health unit  
85 with an adult if the admitting physician documents in the case  
86 record that such placement is medically indicated or for reasons  
87 of safety. Such placement shall be reviewed by the attending  
88 physician or a designee or on-call physician each day and  
89 documented in the case record.

90 (3) Within 24 hours after a person under the age of 18 is  
91 admitted to a crisis stabilization unit or a residential  
92 treatment center licensed under this chapter or a hospital  
93 licensed under chapter 395, the facility administrator must  
94 refer the case to the clerk of the court for the appointment of  
95 a the public defender for potential initiation of a judicial  
96 review hearing. An attorney who represents the minor shall have  
97 access to all records relevant to the presentation of the  
98 minor's case. All hearings involving children under the age of  
99 18 shall be conducted in the physical presence of the child and  
100 not by electronic or video means. A person who violates this

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101 | subsection commits a misdemeanor of the first degree, punishable  
102 | as provided in s. 775.082 or s. 775.083.

103 |       Section 3. This act shall take effect July 1, 2017.