

By Senator Rouson

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1                   A bill to be entitled  
2       An act relating to the Mental Health and Substance  
3       Abuse Disorder Services Commission; creating s.  
4       394.4575, F.S.; creating the Mental Health and  
5       Substance Abuse Disorder Services Commission within  
6       the Department of Children and Families; providing the  
7       purpose of the commission; requiring the commission to  
8       convene by a specified date; specifying the  
9       composition of the commission; providing the duties  
10      and authority of the commission; requiring certain  
11      agencies to provide assistance to the commission in a  
12      timely manner; requiring the commission to submit an  
13      initial report to the Governor and the Legislature by  
14      a specified date; providing for the expiration of the  
15      commission; providing an effective date.

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

18  
19       Section 1. Section 394.4575, Florida Statutes, is created  
20 to read:

21       394.4575 Mental Health and Substance Abuse Disorder  
22 Services Commission.—

23       (1) The Mental Health and Substance Abuse Disorder Services  
24 Commission, a commission as defined in s. 20.03(10), is created  
25 within the Department of Children and Families for the purpose  
26 of examining the provision of mental health and substance abuse  
27 disorder services in this state. Except as otherwise provided in  
28 this section, the commission shall operate in a manner  
29 consistent with s. 20.052.

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30       (2) (a) The commission shall convene no later than October  
31 1, 2021, and shall be composed of 15 members appointed by the  
32 Governor and confirmed by the Senate. The Governor shall appoint  
33 the chair from among the members of the commission. The  
34 Secretary of Children and Families and the Secretary of Health  
35 Care Administration shall serve as ex officio, nonvoting members  
36 of the commission. Appointed members must include:

37       1. A representative of the Florida Association of Managing  
38 Entities.

39       2. A representative of the Florida Sheriffs Association.

40       3. A representative of the Florida Association of Counties.

41       4. A representative of the Florida Hospital Association.

42       5. A representative of the Florida Association of District  
43 School Superintendents.

44       6. A representative of the Florida Behavioral Health  
45 Association.

46       7. A representative of the Florida Coalition for Children.

47       8. A representative of the Florida Assisted Living  
48 Association.

49       9. A representative of the American Civil Liberties Union.

50       10. A representative of the Florida Association of Healthy  
51 Start Coalitions.

52       11. A representative of the Florida Housing Coalition.

53       12. A representative of the JJDP Advisory Group.

54       13. A representative of mental health courts.

55       14. A representative of public defenders.

56       15. A consumer representative.

57       (b) Each member shall be appointed to a 4-year term.

58 However, for the purpose of achieving staggered terms, of the

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59 initial appointments, eight members shall be appointed to 2-year  
60 terms and seven members shall be appointed to 4-year terms.

61 (3) The commission may meet as often as it deems necessary  
62 to fulfill the duties prescribed in this section.

63 (4) The commission shall investigate the current system of  
64 care in the provision of mental health and substance abuse  
65 disorders in this state and develop recommendations for system  
66 enhancements. At a minimum, the commission shall:

67 (a) Review the status of the provision of mental health and  
68 substance abuse disorder services in this state and provide  
69 recommendations to the Governor and the Legislature.

70 (b) Review the status of the provision of services to  
71 individuals who have both a mental illness and a substance abuse  
72 disorder, and provide recommendations to the Governor and the  
73 Legislature.

74 (c) Review the implementation of chapter 2020-107, Laws of  
75 Florida, and provide recommendations to the Governor and the  
76 Legislature.

77 (d) Identify any gaps in the provision of mental health and  
78 substance abuse disorder services.

79 (e) Provide recommendations on how behavioral health  
80 managing entities may fulfill their purpose of promoting service  
81 continuity.

82 (5) The commission may call upon appropriate agencies of  
83 state government for professional assistance as needed in the  
84 discharge of its duties, and such agencies shall provide their  
85 assistance in a timely manner.

86 (6) Notwithstanding any other law, the commission may  
87 request and shall be provided with access to any information or

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88 records, including exempt or confidential and exempt information  
89 or records, which pertain to the provision of mental health or  
90 substance abuse disorder services and which are necessary for  
91 the commission to carry out its duties. Information or records  
92 obtained by the commission which are otherwise exempt or  
93 confidential and exempt retain their exempt or confidential and  
94 exempt status, and the commission may not disclose any such  
95 information or records.

96 (7) The commission shall submit an initial report on its  
97 findings and recommendations to the Governor, the President of  
98 the Senate, and the Speaker of the House of Representatives by  
99 July 1, 2023, and may issue reports annually thereafter.

100 (8) This section expires October 2, 2026.

101 Section 2. This act shall take effect upon becoming a law.