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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/16/2022	.	
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Appropriations Subcommittee on Health and Human Services
(Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 332 - 384
and insert:
from the receiving facility following approval pursuant to
paragraph (f).

b. Does not intend to file a petition for involuntary
services, a receiving facility may postpone release of a patient
until the next working day thereafter only if a qualified
professional documents that adequate discharge planning and



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11 procedures in accordance with s. 394.468, and approval pursuant
12 to paragraph (f), are not possible until the next working day.

13 (5) UNLAWFUL ACTIVITIES RELATING TO EXAMINATION AND
14 TREATMENT; PENALTIES.—

15 (a) A person may not knowingly and willfully:

16 1. Furnish false information for the purpose of obtaining
17 emergency or other involuntary admission of another;

18 2. Cause or otherwise secure, or conspire with or assist
19 another to cause or secure, any emergency or other involuntary
20 procedure of another person under false pretenses; or

21 3. Cause, or conspire with or assist another to cause,
22 without lawful justification, the denial to any person of any
23 right accorded pursuant to this chapter.

24 (b) A person who violates this subsection commits a
25 misdemeanor of the first degree, punishable as provided in s.
26 775.082 and by a fine not exceeding \$5,000.

27 Section 6. Section 394.468, Florida Statutes, is amended to
28 read:

29 394.468 Admission and discharge procedures.—

30 (1) Admission and discharge procedures and treatment
31 policies of the department are governed solely by this part.
32 Such procedures and policies shall not be subject to control by
33 court procedure rules. The matters within the purview of this
34 part are deemed to be substantive, not procedural.

35 (2) Discharge planning and procedures for any patient's
36 release from a receiving facility or treatment facility must
37 include and document consideration of, at a minimum:

38 (a) Follow-up behavioral health appointments;

39 (b) Information on how to obtain prescribed medications;



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40 and

41 (c) Information pertaining to:

42 1. Available living arrangements;

43 2. Transportation; and

44 3. Recovery support opportunities.

45 Section 7. Paragraph (c) of subsection (3) and subsection
46 (5) of section 394.9086, Florida Statutes, are amended, and
47 paragraphs (d) and (e) are added to subsection (3) of that
48 section, to read:

49 394.9086 Commission on Mental Health and Substance Abuse.-

50 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.-

51 (c) The commission shall convene no later than September 1,
52 2021. The commission shall meet quarterly or upon the call of
53 the chair. The commission may shall hold its meetings in person
54 at locations throughout the state or via teleconference or other
55 electronic means.

56 (d) Members of the commission are entitled to receive
57 reimbursement for per diem and travel expenses pursuant to s.
58 112.061.

59 (e) Notwithstanding any other law, the commission may
60 request and shall be provided with access to any information or
61 records, including exempt and confidential information or
62 records, which are necessary for the commission to carry out its
63 duties. Information or records obtained by the commission which
64 are otherwise exempt or confidential and exempt shall retain
65 such exempt or confidential and exempt status, and the
66 commission may not disclose such information or records.

67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:



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69 Delete line 46
70 and insert:
71 commission; authorizing the commission to access
72 certain information or records; revising the due date
73 for the commission's