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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/11/2023	.	
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The Committee on Rules (Garcia) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 109 - 216  
and insert:

Section 3. Subsections (1) and (2), paragraph (a) of  
subsection (4), and subsections (5) and (6) of section 394.9086,  
Florida Statutes, are amended to read:

394.9086 Commission on Mental Health and Substance Use  
Disorder Abuse.—

(1) CREATION.—The Commission on Mental Health and Substance  
Use Disorder Abuse, a commission as defined in s. 20.03(10), is



733030

12 created adjunct to the department. The department shall provide  
13 administrative and staff support services relating to the  
14 functions of the commission.

15 (2) PURPOSES.—The purposes of the commission are to examine  
16 the current methods of providing mental health and substance use  
17 disorder ~~abuse~~ services in the state and to improve the  
18 effectiveness of current practices, procedures, programs, and  
19 initiatives in providing such services; identify any barriers or  
20 deficiencies in the delivery of such services; assess the  
21 adequacy of the current infrastructure of Florida's 988 Suicide  
22 and Crisis Lifeline system and other components of the state's  
23 crisis response services; and recommend changes to existing  
24 laws, rules, and policies necessary to implement the  
25 commission's recommendations.

26 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.—

27 (a) The commission shall be composed of 20 ~~19~~ members as  
28 follows:

29 1. A member of the Senate, appointed by the President of  
30 the Senate.

31 2. A member of the House of Representatives, appointed by  
32 the Speaker of the House of Representatives.

33 3. The Secretary of Children and Families or his or her  
34 designee.

35 4. The Secretary of the Agency for Health Care  
36 Administration or his or her designee.

37 5. A person living with a mental health disorder, appointed  
38 by the President of the Senate.

39 6. A family member of a consumer of publicly funded mental  
40 health services, appointed by the President of the Senate.



733030

41           7. A representative of the Louis de la Parte Florida Mental  
42 Health Institute within the University of South Florida,  
43 appointed by the President of the Senate.

44           8. A representative of a county school district, appointed  
45 by the President of the Senate.

46           9. A representative of mental health courts, appointed by  
47 the Governor.

48           10. A representative of a treatment facility, as defined in  
49 s. 394.455, appointed by the Speaker of the House of  
50 Representatives.

51           11. A representative of a managing entity, as defined in s.  
52 394.9082(2), appointed by the Speaker of the House of  
53 Representatives.

54           12. A representative of a community substance use disorder  
55 ~~abuse~~ provider, appointed by the Speaker of the House of  
56 Representatives.

57           13. A psychiatrist licensed under chapter 458 or chapter  
58 459 practicing within the mental health delivery system,  
59 appointed by the Speaker of the House of Representatives.

60           14. A psychologist licensed under chapter 490 practicing  
61 within the mental health delivery system, appointed by the  
62 Governor.

63           15. A mental health professional licensed under chapter  
64 491, appointed by the Governor.

65           16. An emergency room physician, appointed by the Governor.

66           17. A representative from the field of law enforcement,  
67 appointed by the Governor.

68           18. A representative from the criminal justice system,  
69 appointed by the Governor.



733030

70           19. A representative of a child welfare agency involved in  
71 the delivery of behavioral health services, appointed by the  
72 Governor.

73           20. A representative of the statewide Florida 211 Network  
74 as described in s. 408.918, appointed by the Governor.

75           (4) DUTIES.—

76           (a) The duties of the Commission on Mental Health and  
77 Substance Use Disorder ~~abuse~~ include the following:

78           1. Conducting a review and evaluation of the management and  
79 functioning of the existing publicly supported mental health and  
80 substance use disorder ~~abuse~~ systems and services in the  
81 department, the Agency for Health Care Administration, and all  
82 other departments which administer mental health and substance  
83 use disorder ~~abuse~~ services. Such review shall include, at a  
84 minimum, a review of current goals and objectives, current  
85 planning, services strategies, coordination management,  
86 purchasing, contracting, financing, local government funding  
87 responsibility, and accountability mechanisms.

88           2. Considering the unique needs of persons who are dually  
89 diagnosed.

90           3. Addressing access to, financing of, and scope of  
91 responsibility in the delivery of emergency behavioral health  
92 care services.

93           4. Addressing the quality and effectiveness of current  
94 mental health and substance use disorder ~~abuse~~ services delivery  
95 systems, and professional staffing and clinical structure of  
96 services, roles, and responsibilities of public and private  
97 providers, such as community mental health centers; community  
98 substance use disorder ~~abuse~~ agencies; hospitals, including



733030

99 emergency services departments; law enforcement agencies; and  
100 the judicial system.

101 5. Addressing priority population groups for publicly  
102 funded mental health and substance use disorder ~~abuse~~ services,  
103 identifying the comprehensive mental health and substance use  
104 disorder ~~abuse~~ services delivery systems, mental health and  
105 substance use disorder ~~abuse~~ needs assessment and planning  
106 activities, and local government funding responsibilities for  
107 mental health and substance use disorder ~~abuse~~ services.

108 6. Reviewing the implementation of chapter 2020-107, Laws  
109 of Florida.

110 7. Identifying any gaps in the provision of mental health  
111 and substance use disorder services.

112 8. Providing recommendations on how behavioral health  
113 managing entities may fulfill their purpose of promoting service  
114 continuity and work with community stakeholders throughout this  
115 state in furtherance of supporting the 988 Suicide and Crisis  
116 Lifeline system and other crisis response services.

117 9. Conducting an overview of the current infrastructure of  
118 the 988 Suicide and Crisis Lifeline system.

119 10. Analyzing the current capacity of crisis response  
120 services available throughout this state, including services  
121 provided by mobile response teams and centralized receiving  
122 facilities. The analysis must include information on the  
123 geographic area and the total population served by each mobile  
124 response team along with the average response time to each call  
125 made to a mobile response team; the number of calls that a  
126 mobile response team was unable to respond to due to staff  
127 limitations, travel distance, or other factors; and the veteran



733030

128 status and age groups of individuals served by mobile response  
129 teams.

130 11. Evaluating and making recommendations to improve  
131 linkages between the 988 Suicide and Crisis Lifeline  
132 infrastructure and crisis response services within this state.

133 12. Identifying available mental health block grant funds  
134 that can be used to support the 988 Suicide and Crisis Lifeline  
135 and crisis response infrastructure within this state, including  
136 any available funding through opioid settlements or through the  
137 American Rescue Plan Act of 2021, Pub. L. No. 117-2; the  
138 Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub.  
139 L. No. 116-136; or other federal legislation.

140 13. In consultation with the Agency for Health Care  
141 Administration, identifying sources of funding available through  
142 the Medicaid program specifically for crisis response services,  
143 including funding that may be available by seeking approval of a  
144 Section 1115 waiver submitted to the Centers for Medicare and  
145 Medicaid Services.

146 14.9. Making recommendations regarding the mission and  
147 objectives of state-supported mental health and substance use  
148 disorder ~~abuse~~ services and the planning, management, staffing,  
149 financing, contracting, coordination, and accountability  
150 mechanisms which will best foster the recommended mission and  
151 objectives.

152 15.10. Evaluating and making recommendations regarding the  
153 establishment of a permanent, agency-level entity to manage  
154 mental health, substance use disorder ~~abuse~~, and related  
155 services statewide. At a minimum, the evaluation must consider  
156 and describe the:



- 157 a. Specific duties and organizational structure proposed
- 158 for the entity;
- 159 b. Resource needs of the entity and possible sources of
- 160 funding;
- 161 c. Estimated impact on access to and quality of services;
- 162 d. Impact on individuals with behavioral health needs and
- 163 their families, both those currently served through the affected
- 164 systems providing behavioral health services and those in need
- 165 of services; and
- 166 e. Relation to, integration with, and impact on providers,
- 167 managing entities, communities, state agencies, and systems
- 168 which provide mental health and substance use disorder ~~abuse~~
- 169 services in this state. Such recommendations must ensure that
- 170 the ability of such other agencies and systems to carry out
- 171 their missions and responsibilities is not impaired.

172 16. Evaluating and making recommendations regarding

173 skills-based training that teaches participants about mental

174 health and substance use disorder issues, including, but not

175 limited to, Mental Health First Aid models.

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

177 And the title is amended as follows:

178 Delete lines 7 - 13

179 and insert:

180 telehealth; amending s. 394.9086, F.S.; renaming the

181 Commission on Mental Health and Substance Abuse;

182 revising the purposes of the commission to include an

183 assessment of the state's suicide prevention

184 infrastructure; revising the membership of the

185 commission to include a representative of the



733030

186 statewide Florida 211 Network; revising the duties of  
187 the commission to include duties relating to the  
188 state's suicide prevention infrastructure; revising  
189 the duties of the commission to include duties  
190 relating to evaluating and making recommendations  
191 regarding the teaching of Mental Health First Aid;  
192 requiring the commission to submit