

By Senator Garcia

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1 A bill to be entitled
2 An act relating to suicide prevention; amending s.
3 111.09, F.S.; defining the term "affiliated first
4 responder organization"; revising the definition of
5 the term "first responder peer"; amending s. 112.1815,
6 F.S.; authorizing certain diagnoses to be made through
7 telehealth; amending s. 394.9086, F.S.; revising the
8 purposes of the Commission on Mental Health and
9 Substance Abuse to include an assessment of the
10 state's suicide prevention infrastructure; revising
11 the duties of the commission to include duties
12 relating to the state's suicide prevention
13 infrastructure; requiring the commission to submit
14 annual interim reports for a specified timeframe;
15 revising the date by which the commission must submit
16 its final report; extending the repeal date of the
17 commission; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsection (1) of section 111.09, Florida
22 Statutes, is amended to read:

23 111.09 Peer support for first responders.—

24 (1) For purposes of this section, the term:

25 (a) "Affiliated first responder organization" includes, but
26 is not limited to, any of the following organizations:

27 1. Regularly organized volunteer firefighting departments
28 or associations.

29 2. Regularly organized volunteer ambulance services.

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30 3. Combination fire departments, as that term is defined in
31 s. 633.135(1).

32 (b) "First responder" has the same meaning as provided in
33 s. 112.1815 and includes 911 public safety telecommunicators as
34 defined in s. 401.465.

35 (c)~~(b)~~ "First responder peer" means a person who:

36 1. Is not a health care practitioner as defined in s.
37 456.001.

38 2. Has experience working as or with a first responder,
39 including active, volunteer, and retired first responders,
40 regarding any physical or emotional conditions or issues
41 associated with the first responder's employment.

42 3. Has been designated by the first responder's employing
43 agency or affiliated first responder organization to provide
44 peer support as provided in this section and has received
45 training for this purpose.

46 (d)~~(e)~~ "Peer support" means the provision of physical,
47 moral, or emotional support to a first responder by a first
48 responder peer for the purpose of addressing physical or
49 emotional conditions or other issues associated with being a
50 first responder.

51 (e)~~(d)~~ "Peer support communication" means electronic, oral,
52 or written communication, made with a mutual expectation of
53 confidentiality while a first responder peer is providing peer
54 support in his or her official capacity.

55 Section 2. Paragraph (a) of subsection (5) of section
56 112.1815, Florida Statutes, is amended to read:

57 112.1815 Firefighters, paramedics, emergency medical
58 technicians, and law enforcement officers; special provisions

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59 for employment-related accidents and injuries.—

60 (5) (a) For the purposes of this section and chapter 440,
61 and notwithstanding sub-subparagraph (2) (a)3. and ss. 440.093
62 and 440.151(2), posttraumatic stress disorder, as described in
63 the Diagnostic and Statistical Manual of Mental Disorders, Fifth
64 Edition, published by the American Psychiatric Association,
65 suffered by a first responder is a compensable occupational
66 disease within the meaning of subsection (4) and s. 440.151 if:

67 1. The posttraumatic stress disorder resulted from the
68 first responder acting within the course of his or her
69 employment as provided in s. 440.091; and

70 2. The first responder is examined and subsequently
71 diagnosed with such disorder by a licensed psychiatrist, in
72 person or through telehealth as that term is defined in s.
73 456.47, who is an authorized treating physician as provided in
74 chapter 440 due to one of the following events:

75 a. Seeing for oneself a deceased minor;

76 b. Directly witnessing the death of a minor;

77 c. Directly witnessing an injury to a minor who
78 subsequently died before or upon arrival at a hospital emergency
79 department;

80 d. Participating in the physical treatment of an injured
81 minor who subsequently died before or upon arrival at a hospital
82 emergency department;

83 e. Manually transporting an injured minor who subsequently
84 died before or upon arrival at a hospital emergency department;

85 f. Seeing for oneself a decedent whose death involved
86 grievous bodily harm of a nature that shocks the conscience;

87 g. Directly witnessing a death, including suicide, that

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88 involved grievous bodily harm of a nature that shocks the
89 conscience;

90 h. Directly witnessing a homicide regardless of whether the
91 homicide was criminal or excusable, including murder, mass
92 killing as defined in 28 U.S.C. s. 530C, manslaughter, self-
93 defense, misadventure, and negligence;

94 i. Directly witnessing an injury, including an attempted
95 suicide, to a person who subsequently died before or upon
96 arrival at a hospital emergency department if the person was
97 injured by grievous bodily harm of a nature that shocks the
98 conscience;

99 j. Participating in the physical treatment of an injury,
100 including an attempted suicide, to a person who subsequently
101 died before or upon arrival at a hospital emergency department
102 if the person was injured by grievous bodily harm of a nature
103 that shocks the conscience; or

104 k. Manually transporting a person who was injured,
105 including by attempted suicide, and subsequently died before or
106 upon arrival at a hospital emergency department if the person
107 was injured by grievous bodily harm of a nature that shocks the
108 conscience.

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

112 394.9086 Commission on Mental Health and Substance Abuse.—

113 (2) PURPOSES.—The purposes of the commission are to examine
114 the current methods of providing mental health and substance
115 abuse services in the state and to improve the effectiveness of
116 current practices, procedures, programs, and initiatives in

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117 providing such services; identify any barriers or deficiencies
118 in the delivery of such services; assess the adequacy of the
119 current infrastructure of Florida's National Suicide Prevention
120 Lifeline (NSPL) system and other components of the state's
121 crisis response services; and recommend changes to existing
122 laws, rules, and policies necessary to implement the
123 commission's recommendations.

124 (4) DUTIES.—

125 (a) The duties of the Commission on Mental Health and
126 Substance Abuse include the following:

127 1. Conducting a review and evaluation of the management and
128 functioning of the existing publicly supported mental health and
129 substance abuse systems and services in the department, the
130 Agency for Health Care Administration, and all other departments
131 which administer mental health and substance abuse services.
132 Such review shall include, at a minimum, a review of current
133 goals and objectives, current planning, services strategies,
134 coordination management, purchasing, contracting, financing,
135 local government funding responsibility, and accountability
136 mechanisms.

137 2. Considering the unique needs of persons who are dually
138 diagnosed.

139 3. Addressing access to, financing of, and scope of
140 responsibility in the delivery of emergency behavioral health
141 care services.

142 4. Addressing the quality and effectiveness of current
143 mental health and substance abuse services delivery systems, and
144 professional staffing and clinical structure of services, roles,
145 and responsibilities of public and private providers, such as

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146 community mental health centers; community substance abuse
147 agencies; hospitals, including emergency services departments;
148 law enforcement agencies; and the judicial system.

149 5. Addressing priority population groups for publicly
150 funded mental health and substance abuse services, identifying
151 the comprehensive mental health and substance abuse services
152 delivery systems, mental health and substance abuse needs
153 assessment and planning activities, and local government funding
154 responsibilities for mental health and substance abuse services.

155 6. Reviewing the implementation of chapter 2020-107, Laws
156 of Florida.

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

159 8. Providing recommendations on how behavioral health
160 managing entities may fulfill their purpose of promoting service
161 continuity and work with community stakeholders throughout this
162 state in furtherance of supporting the NSPL system and other
163 crisis response services.

164 9. Conducting an overview of the current infrastructure of
165 the NSPL system.

166 10. Analyzing the current capacity of crisis response
167 services available throughout this state, including services
168 provided by mobile response teams and centralized receiving
169 facilities. The analysis must include information on the
170 geographic area and the total population served by each mobile
171 response team along with the average response time to each call
172 made to a mobile response team; the number of calls that a
173 mobile response team was unable to respond to due to staff
174 limitations, travel distance, or other factors; and the veteran

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175 status and age groups of individuals served by mobile response
176 teams.

177 11. Evaluating and making recommendations to improve
178 linkages between the NSPL infrastructure and crisis response
179 services within this state.

180 12. Identifying available mental health block grant funds
181 that can be used to support the NSPL and crisis response
182 infrastructure within this state, including any available
183 funding through opioid settlements or through the American
184 Rescue Plan Act of 2021, Pub. L. No. 117-2; the Coronavirus Aid,
185 Relief, and Economic Security (CARES) Act, Pub. L. No. 116-136;
186 or other federal legislation.

187 13. In consultation with the Agency for Health Care
188 Administration, identifying sources of funding available through
189 the Medicaid program specifically for crisis response services,
190 including funding that may be available by seeking approval of a
191 Section 1115 waiver submitted to the Centers for Medicare and
192 Medicaid Services.

193 ~~14.9.~~ Making recommendations regarding the mission and
194 objectives of state-supported mental health and substance abuse
195 services and the planning, management, staffing, financing,
196 contracting, coordination, and accountability mechanisms which
197 will best foster the recommended mission and objectives.

198 ~~15.10.~~ Evaluating and making recommendations regarding the
199 establishment of a permanent, agency-level entity to manage
200 mental health, substance abuse, and related services statewide.
201 At a minimum, the evaluation must consider and describe the:

202 a. Specific duties and organizational structure proposed
203 for the entity;

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- 204 b. Resource needs of the entity and possible sources of
205 funding;
- 206 c. Estimated impact on access to and quality of services;
- 207 d. Impact on individuals with behavioral health needs and
208 their families, both those currently served through the affected
209 systems providing behavioral health services and those in need
210 of services; and
- 211 e. Relation to, integration with, and impact on providers,
212 managing entities, communities, state agencies, and systems
213 which provide mental health and substance abuse services in this
214 state. Such recommendations must ensure that the ability of such
215 other agencies and systems to carry out their missions and
216 responsibilities is not impaired.
- 217 (5) REPORTS.—Beginning ~~By~~ January 1, 2023, and annually
218 thereafter through January 1, 2025, the commission shall submit
219 an interim report to the President of the Senate, the Speaker of
220 the House of Representatives, and the Governor containing its
221 findings and recommendations on how to best provide and
222 facilitate mental health and substance abuse services in the
223 state. The commission shall submit its final report to the
224 President of the Senate, the Speaker of the House of
225 Representatives, and the Governor by September 1, 2026 ~~2023~~.
- 226 (6) REPEAL.—This section is repealed September 1, 2026
227 ~~2023~~, unless saved from repeal through reenactment by the
228 Legislature.
- 229 Section 4. This act shall take effect July 1, 2023.