House



LEGISLATIVE ACTION

Senate

Floor: 1/AD/2R 02/28/2024 10:44 AM

Senator Boyd moved the following: 1 Senate Amendment (with title amendment) 2 3 Delete everything after the enacting clause 4 and insert: 5 Section 1. Part VI of chapter 395, Florida Statutes, consisting of ss. 395.901, 395.902, and 395.903, Florida 6 7 Statutes, is created and entitled "Behavioral Health Teaching 8 Hospitals." Section 2. Section 395.901, Florida Statutes, is created to 9 10 read: 395.901 Definitions; legislative findings and intent.-11

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12	(1) DEFINITIONSAs used in this part, the term:
13	(a) "Agency" means the Agency for Health Care
14	Administration.
15	(b) "Behavioral health" means the prevention and treatment
16	of, and recovery from, any substance use disorder, mental health
17	disorder, or co-occurring disorder.
18	(c) "Behavioral health professions" means licensed or
19	certified professionals serving the needs of patients with
20	behavioral health disorders, including, but not limited to,
21	psychiatrists licensed under chapter 458 or chapter 459,
22	psychologists licensed under chapter 490, psychiatric nurses
23	licensed under chapter 464, and social workers, marriage and
24	family therapists, and mental health counselors licensed under
25	chapter 491.
26	(d) "Behavioral health teaching hospital" means a hospital
27	licensed under this chapter and designated as a behavioral
28	health teaching hospital by the agency under s. 395.902.
29	(e) "Department" means the Department of Children and
30	Families.
31	(2) LEGISLATIVE FINDINGS AND INTENT
32	(a) The Legislature finds that there is a critical shortage
33	of behavioral health professionals and recognizes the urgent
34	need to expand the existing behavioral health workforce, prepare
35	for an aging workforce, incentivize entry into behavioral health
36	professions, and train a modernized workforce in innovative
37	integrated care.
38	(b) The Legislature finds that there is a specific need to
39	support a behavioral health education system that not only
40	trains the next generation of professionals in innovative and

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integrated care for those with behavioral health needs, but also 41 42 works to modernize the state's overall behavioral health system 43 of care. 44 (c) The Legislature intends to identify and designate 45 multiple behavioral health teaching hospitals that work to 46 provide the necessary research, education, and services to 47 enhance the state's behavioral health workforce and make that workforce and system of care the national standard. 48 49 (d) The Legislature intends to create the Florida Center 50 for Behavioral Health Workforce within the Louis de la Parte 51 Florida Mental Health Institute at the University of South 52 Florida to address issues of workforce supply and demand in behavioral health professions, including issues of recruitment, 53 54 retention, and workforce resources. 55 (e) The Legislature intends for designated behavioral 56 health teaching hospitals to: 57 1. Conduct state-of-the-art behavioral health research. 58 2. Provide leading-edge education and training in 59 innovative and integrated care for the state's behavioral health 60 workforce. 3. Collaborate with other university colleges and schools 61 of medicine, nursing, psychology, social work, public health, 62 63 and other relevant disciplines to promote and enhance a 64 modernized behavioral health system of care. 65 4. Develop, implement, and promote public-private 66 partnerships throughout this state to support and enhance the 67 intent of this part. 5. Partner with the state to provide behavioral health 68 69 care, address regional and systemwide behavioral health needs,

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70	and support the state in providing treatment and care for those
71	whose need and acuity has resulted in the need for long-term
72	voluntary services or involuntary civil commitment.
73	Section 3. Section 395.902, Florida Statutes, is created to
74	read:
75	395.902 Behavioral health teaching hospitals
76	(1) Beginning July 1, 2025, a licensed hospital may apply
77	to the agency for designation as a behavioral health teaching
78	hospital by submitting a form furnished by the agency and
79	providing documentation establishing eligibility.
80	(2) To be designated as a behavioral health teaching
81	hospital, a hospital must meet all of the following criteria:
82	(a) Operate as a teaching hospital as defined in s. 408.07.
83	(b) Offer a psychiatric residency program accredited
84	through the Residency Review Committee of the Accreditation
85	Council of Graduate Medical Education and an accredited
86	postdoctoral clinical psychology fellowship program.
87	(c) Provide behavioral health services.
88	(d) Establish an affiliation with a university in this
89	state to create and maintain integrated workforce development
90	programs for students of the university's colleges or schools of
91	medicine, nursing, psychology, social work, and public health
92	related to the entire continuum of behavioral health care,
93	including, at a minimum, screening, therapeutic and supportive
94	services, community outpatient care, crisis stabilization,
95	short-term residential treatment, and long-term care.
96	(e) Develop a plan to create and maintain integrated
97	workforce development programs with the affiliated university's
98	colleges or schools and to supervise clinical care provided by

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students participating in such programs.

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(3) A designated behavioral health teaching hospital must: (a) Within 90 days after receiving the designation, develop and maintain a consultation agreement with the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute to establish best practices related to integrated workforce development programs for the behavioral health professions.

(b) Collaborate with the department and managing entities as defined in s. 394.9082(2) to identify gaps in the regional continuum of behavioral health care which are appropriate for the behavioral health teaching hospital to address, either independently or in collaboration with other organizations providing behavioral health services, and which will facilitate implementation of the plan developed under paragraph (2)(e).

(c) Within 90 days after receiving the designation, enter into an agreement with the department to provide state treatment facility beds when determined necessary by the department.

(d) Provide data related to the hospital's integrated workforce development programs and the services provided by the hospital to the agency, the department, and the Office of Reimagining Education and Career Help created under s. 14.36, as determined by the agency, department, or the office.

(4) Notwithstanding subsections (1) and (2), within 30 days after this act becomes a law, the agency shall designate the following hospitals as behavioral health teaching hospitals: (a) Tampa General Hospital, in affiliation with the University of South Florida

University of South Florida.

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(b) UF Health Shands Hospital, in affiliation with the

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128	University of Florida.
129	(c) UF Health Jacksonville, in affiliation with the
130	University of Florida.
131	(d) Jackson Memorial Hospital, in affiliation with the
132	University of Miami.
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134	Within 90 days after receiving the designation, each behavioral
135	health teaching hospital designated under this subsection shall
136	submit documentation to the agency establishing compliance with
137	the requirements of paragraphs (2)(a)-(d) and submit the plan
138	required by paragraph (2)(e).
139	(5) The agency may designate up to four additional
140	behavioral health teaching hospitals by July 1, 2027, taking
141	into account equitable distribution of such hospitals by
142	geographical service area and behavioral health services access.
143	(6) Upon designating a behavioral health teaching hospital
144	under this section, the agency shall award the hospital funds as
145	follows:
146	(a) For up to 10 resident positions through the Slots for
147	Doctors Program established in s. 409.909. Notwithstanding that
148	section, the agency shall allocate \$150,000 for each such
149	position.
150	(b) Through the Training, Education, and Clinicals in
151	Health Funding Program established in s. 409.91256 to offset the
152	costs of maintaining integrated workforce development programs.
153	(7) By December 1 of each year, a designated behavioral
154	health teaching hospital must submit a report to the agency and
155	the department on the designated behavioral health teaching
156	hospital program, including, but not limited to, all of the

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157	following:
158	(a) The number of psychiatric residents.
159	(b) The number of postdoctoral clinical psychology fellows.
160	(c) The status and details of the consultation agreement
161	with the Florida Center for Behavioral Health Workforce within
162	the Louis de la Parte Florida Mental Health Institute.
163	(d) The implementation status of the plan required by
164	paragraph (2)(e).
165	(e) Activities, agreements, and accomplishments of the
166	collaboration required by paragraph (3)(b).
167	(f) The number of any facility beds and patients served
168	under paragraph (3)(c).
169	(8) A behavioral health teaching hospital designation is
170	valid for 2 years. To renew the designation, a hospital must
171	submit an application for renewal to the agency on a form
172	established by the agency at least 90 days before the expiration
173	of the designation. The renewal process is subject to the time
174	periods and tolling provisions of s. 120.60. The agency may
175	deny, revoke, or suspend a designation at any time if a
176	behavioral health teaching hospital is not in compliance with
177	the requirements of this section.
178	(9) The agency may adopt rules necessary to implement this
179	section.
180	Section 4. Section 395.903, Florida Statutes, is created to
181	read:
182	395.903 Behavioral Health Teaching Hospital grant program
183	(1) There is established within the agency a grant program
184	for the purpose of funding designated behavioral health teaching
185	hospitals, subject to legislative appropriation. Grant funding

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may be used for operations and expenses and fixed capital 186 outlay, including, but not limited to, facility renovation and 187 188 upgrades. 189 (a)1. For the 2024-2025 fiscal year, the agency shall hold 190 a 30-day, open application period beginning November 1, 2024, to 191 accept applications from the behavioral health teaching hospitals designated under s. 395.902(4), in a manner determined 192 193 by the agency. Applicants must include a detailed spending plan 194 with the application. 195 2. For the 2025-2026 and 2026-2027 fiscal years, subject to 196 the availability of funds, the agency shall hold a 30-day, open 197 application period beginning October 1 of each year to accept 198 applications from behavioral health teaching hospitals 199 designated under s. 395.902, in a manner determined by the 200 agency. Applicants must include a detailed spending plan with 201 the application. 202 (b) The agency, in consultation with the department, shall 203 evaluate and rank grant applications based on compliance with s. 204 395.902(2) and the quality of the plan submitted under s. 205 395.902(2)(e) or plan implementation, as applicable, related to 206 achieving the purposes of the behavioral health teaching 207 hospital program. The agency, in consultation with the 208 department, shall make recommendations for grant awards and distribution of available funding for such awards. The agency 209 210 shall submit the evaluation and grant award recommendations to 211 the President of the Senate and the Speaker of the House of 212 Representatives within 90 days after the open application period 213 closes. 214 (c) Notwithstanding ss. 216.181 and 216.292, the agency may

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215	submit budget amendments, subject to the notice, review, and
216	objection procedures under s. 216.177, requesting the release of
217	the funds to make awards. The agency is authorized to submit
218	budget amendments relating to expenses under subsection (1)
219	under the grant program only within the 90 days after the open
220	application period closes.
221	(2) Notwithstanding s. 216.301 and pursuant to s. 216.351,
222	the balance of any appropriation from the General Revenue Fund
223	for the program which is not disbursed but which is obligated
224	pursuant to contract or committed to be expended by June 30 of
225	the fiscal year for which the funds are appropriated may be
226	carried forward for up to 8 years after the effective date of
227	the original appropriation.
228	(3) The agency may adopt rules necessary to implement this
229	section.
230	Section 5. Subsections (6) and (7) are added to section
231	1004.44, Florida Statutes, to read:
232	1004.44 Louis de la Parte Florida Mental Health Institute
233	There is established the Louis de la Parte Florida Mental Health
234	Institute within the University of South Florida.
235	(6)(a) There is established within the institute the
236	Florida Center for Behavioral Health Workforce. The purpose of
237	the center is to support an adequate, highly skilled, resilient,
238	and innovative workforce that meets the current and future human
239	resources needs of the state's behavioral health system in order
240	to provide high-quality care, services, and supports to
241	Floridians with, or at risk of developing, behavioral health
242	conditions through original research, policy analysis,
243	evaluation, and development and dissemination of best practices.

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244	The goals of the center are, at a minimum, to research the
245	state's current behavioral health workforce and future needs;
246	expand the number of clinicians, professionals, and other
247	workers involved in the behavioral health workforce; and enhance
248	the skill level and innovativeness of the workforce. The center
249	shall, at a minimum, do all of the following:
250	1. Describe and analyze the current workforce and project
251	possible future workforce demand, especially in critical roles,
252	and develop strategies for addressing any gaps. The center's
253	efforts may include, but need not be limited to, producing a
254	statistically valid biennial analysis of the supply and demand
255	of the behavioral health workforce.
256	2. Expand pathways to behavioral health professions through
257	enhanced educational opportunities and improved faculty
258	development and retention. The center's efforts may include, but
259	need not be limited to:
260	a. Identifying best practices in the academic preparation
261	and continuing education of behavioral health professionals.
262	b. Facilitating and coordinating the development of
263	academic-practice partnerships that support behavioral health
264	faculty employment and advancement.
265	c. Developing and implementing innovative projects to
266	support the recruitment, development, and retention of
267	behavioral health educators, faculty, and clinical preceptors.
268	d. Developing distance learning infrastructure for
269	behavioral health education and the evidence-based use of
270	technology, simulation, and distance learning techniques.
271	3. Promote behavioral health professions. The center's
272	efforts may include, but need not be limited to:

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273	a. Conducting original research on the factors affecting
274	recruitment, retention, and advancement of the behavioral health
275	workforce, such as designing and implementing a longitudinal
276	study of the state's behavioral health workforce.
277	b. Developing and implementing innovative projects to
278	support the recruitment, development, and retention of
279	behavioral health workers.
280	(b) The center may:
281	1. Convene groups, including, but not limited to,
282	behavioral health clinicians, professionals, and workers, and
283	employers of such individuals; other health care providers;
284	individuals with behavioral health conditions and their
285	families; business and industry leaders, policymakers, and
286	educators to assist the center in its work; and
287	2. Request from any board as defined in s. 456.001 any
288	information held by the board regarding a behavioral health
289	professional licensed in this state or holding a multistate
290	license pursuant to a professional multistate licensure compact
291	or information reported to the board by employers of such
292	behavioral health professionals, other than personal identifying
293	information. The boards must provide such information to the
294	center upon request.
295	(c) By January 10 of each year, the center shall submit a
296	report to the Governor, the President of the Senate, and the
297	Speaker of the House of Representatives providing details of its
298	activities during the preceding calendar year in pursuit of its
299	goals and in the execution of its duties under paragraph (a).
300	The report submitted in 2025 must include an initial statewide
301	strategic plan for meeting the goals in subsection (6), which

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302 must be updated in each subsequent report. 303 (7) The Board of Governors and the State Board of 304 Education, in consultation with the center, shall expeditiously 305 adopt any necessary regulations and rules, as applicable, to 306 allow the center to perform its responsibilities under 307 subsection (6) as soon as practicable. Section 6. Effective upon this act becoming a law, the 308 309 Department of Children and Families must contract for a detailed 310 study of capacity for inpatient treatment services for adults 311 with serious mental illness and children with serious emotional 312 disturbance or psychosis in this state's forensic inpatient, 313 safety-net voluntary and involuntary civil inpatient placement, 314 and Medicaid statewide inpatient psychiatric programs. The study 315 must include analyses of current capacity, current and projected 316 future demand, and the state's current and projected future 317 ability to meet that demand, and must include recommendations 318 for enhancing the availability of inpatient treatment services 319 and for providing alternatives to such services. The study must 320 be completed by January 31, 2025, and must include, at a 321 minimum, all of the following: 322 (1) By facility and by program type, the current number and 323 allocation of beds for inpatient treatment, the number of 324 individuals admitted and discharged annually, and the lengths of 325 stays. 326 (2) By department region, the current number and allocation 327 of beds in receiving, treatment, and state treatment facilities 328 and residential treatment centers for children and adolescents 329 for inpatient treatment between forensic and civil placements, 330 the number of individuals admitted and discharged annually, the

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331 types and frequency of diagnoses, and the lengths of stays. (3) By department region, the current and projected future 332 333 demand for civil and forensic inpatient placements at receiving, 334 treatment, and state treatment facilities and residential 335 treatment centers for children and adolescents, any gaps in 336 current and projected future availability of these services 337 compared to current and projected future service demand, and the 338 number of inpatient beds needed by facility type and placement 339 type to meet current and projected future demand.

(4) By agency region, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays for Medicaid statewide inpatient psychiatric program services, the current and projected future demand for these services, any gaps in current and projected future availability of these services compared to current and projected future service demand, and the number of inpatient beds needed by facility type to meet current and projected future demand.

(5) Policy recommendations for ensuring sufficient bed capacity for inpatient treatment at treatment facilities, state treatment facilities, or receiving facilities, or at residential treatment centers for children and adolescents, and for enhancing services that could prevent the need for involuntary inpatient placements.

355 <u>(6) A gap analysis as recommended by the Commission on</u> 356 <u>Mental Health and Substance Use Disorder in the annual interim</u> 357 <u>report dated January 1, 2024.</u>

358 Section 7. For the 2024-2025 fiscal year, the sum of \$5 359 million in recurring funds from the General Revenue Fund is

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360 <u>appropriated to the Louis de la Parte Florida Mental Health</u> 361 <u>Institute for the operation of the Florida Center for Behavioral</u> 362 <u>Health Workforce as created by this act.</u>

363 Section 8. (1) For the 2024-2025 fiscal year, the sums of 364 \$2,557,800 in recurring funds from the General Revenue Fund and 365 \$3,442,200 in recurring funds from the Medical Care Trust Fund 366 are appropriated to the Agency for Health Care Administration 367 for the Slots for Doctors Program established in s. 409.909, 368 Florida Statutes, for up to 10 newly created resident positions 369 for each designated behavioral health teaching hospital 370 designated under s. 395.902(4), Florida Statutes, as created by 371 this act. Notwithstanding s. 409.909, Florida Statutes, the 372 agency shall allocate \$150,000 for each newly created position. 373 (2) For the 2024-2025 fiscal year, the sums of \$2,557,800 374 in recurring funds from the General Revenue Fund and \$3,442,200 375 in recurring funds from the Medical Care Trust Fund are 376 appropriated to the Agency for Health Care Administration for 377 the Slots for Doctors Program established in s. 409.909, Florida 378 Statutes, for up to 10 newly created resident positions for each 379 designated behavioral health teaching hospital designated under 380 s. 395.902, Florida Statutes, other than those designated under s. 395.902(4), Florida Statutes, if any, as created by this act. 381 382 Notwithstanding s. 409.909, Florida Statutes, the agency shall 383 allocate \$150,000 for each newly created position. The funds 384 shall be held in reserve. Upon designation of a behavioral 385 health teaching hospital, the Agency for Health Care 386 Administration shall submit budget amendments to request release 387 of the funds pursuant to chapter 216, Florida Statutes. 388 Section 9. (1) For the 2024-2025 fiscal year, the sum of \$2

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389 million in recurring funds from the General Revenue Fund is 390 appropriated to the Agency for Health Care Administration to implement the Training, Education, and Clinicals in Health 391 392 (TEACH) Funding Program established in s. 409.91256, Florida 393 Statutes, as created by SB 7016, 2024 Regular Session. 394 Notwithstanding s. 409.91256(5)(b), Florida Statutes, as created 395 by SB 7016, 2024 Regular Session, the funds appropriated under 396 this section shall be equally distributed to the behavioral 397 health teaching hospitals designated under s. 395.902(4), 398 Florida Statutes, as created by this act.

399 (2) For the 2024-2025 fiscal year, the sum of \$2 million in 400 recurring funds from the General Revenue Fund is appropriated to 401 the Agency for Health Care Administration to implement TEACH 402 Funding Program established in s. 409.91256, Florida Statutes, 403 as created by SB 7016, 2024 Regular Session. Notwithstanding s. 404 409.91256(5)(b), Florida Statutes, as created by SB 7016, 2024 405 Regular Session, the funds appropriated pursuant to this section 406 shall be equally distributed to the behavioral health teaching 407 hospitals designated under section 395.902, Florida Statutes, 408 other than those designated under s. 395.902(4), Florida 409 Statutes, as created by this act. The funds shall be held in 410 reserve. Upon designation of a behavioral health teaching 411 hospital, the Agency for Health Care Administration shall submit 412 budget amendments to request release of the funds pursuant to 413 chapter 216, Florida Statutes. The agency is authorized to 414 submit a final budget amendment in the last quarter of the 415 fiscal year to provide an adjustment in the amount of funds 416 provided to behavioral health teaching hospitals based upon the 417 number of designations finalized during the fiscal year.

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418 Section 10. For the 2024-2025 fiscal year, the nonrecurring 419 sum of \$300 million from the General Revenue Fund is 420 appropriated to the Agency for Health Care Administration for 421 the behavioral health teaching hospital grant program as created 422 in s. 395.902(7), Florida Statutes. Grant funds shall be awarded 423 over a 3-year period. Notwithstanding s. 216.301, Florida 424 Statutes, and pursuant to s. 216.351, Florida Statutes, funds 425 appropriated for this purpose which are not disbursed by June 30 shall be carried forward for up to 8 years after the effective 426 427 date of the original appropriation. 428 (1) For the 2024-2025 fiscal year, the Agency for Health 429 Care Administration is authorized to award grants in an amount 430 not to exceed \$100 million to the behavioral health teaching 431 hospitals designated under s. 395.902(4), Florida Statutes, as 432 created by this act. 433 (2) For the 2025-2026 fiscal year, the Agency for Health 434 Care Administration is authorized to award grants in an amount 435 not to exceed \$100 million to behavioral health teaching 436 hospitals designated under s. 395.902, Florida Statutes, as 437 created by this act. 438 (3) For the 2026-2027 fiscal year, the Agency for Health 439 Care Administration is authorized to award grants up to the 440 amount of the original appropriation which has not yet been 441 awarded as of June 30, 2026, to behavioral health teaching 442 hospitals designated under s. 395.902, Florida Statutes, as 443 created by this act. 444 Section 11. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon 445 446 this act becoming a law, this act shall take effect July 1,

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447	2024.
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450	And the title is amended as follows:
451	Delete everything before the enacting clause
452	and insert:
453	A bill to be entitled
454	An act relating to behavioral health teaching
455	hospitals; creating part VI of ch. 395, F.S., entitled
456	"Behavioral Health Teaching Hospitals"; creating s.
457	395.901, F.S.; defining terms; providing legislative
458	findings and intent; creating s. 395.902, F.S.;
459	authorizing hospitals to apply for a behavioral health
460	teaching hospital designation beginning on a specified
461	date; specifying criteria a hospital must meet to
462	receive such designation; notwithstanding such
463	criteria, requiring the Agency for Health Care
464	Administration to designate specified existing
465	hospitals as behavioral health teaching hospitals;
466	requiring such hospitals to meet the designation
467	criteria within a specified timeframe; authorizing the
468	agency to designate a specified number of additional
469	behavioral health teaching hospitals by a specified
470	date, taking into account specified factors; requiring
471	the agency to award behavioral health teaching
472	hospitals certain funds upon their designation;
473	requiring designated behavioral health teaching
474	hospitals to submit an annual report to the agency and
475	the Department of Children and Families; specifying

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476 requirements for the report; providing for expiration 477 and renewal of behavioral health teaching hospital 478 designations; authorizing the agency to deny, revoke, 479 or suspend a designation at any time under certain 480 circumstances; authorizing the agency to adopt rules; 481 creating s. 395.903, F.S.; establishing a grant program within the agency for the purpose of funding 482 483 designated behavioral health teaching hospitals; 484 providing an administrative process to receive, 485 evaluate, and rank applications that request grant 486 funds; authorizing the agency to submit a budget 487 amendment to the Legislature requesting the release of 488 grant funds to make awards; providing a carry forward 489 for a specified period for obligated funds not 490 disbursed in the same year in which the funds were 491 appropriated; authorizing the agency to adopt rules; 492 amending s. 1004.44, F.S.; establishing the Florida Center for Behavioral Health Workforce within the 493 Louis de la Parte Florida Mental Health Institute for 494 495 a specified purpose; specifying the goals and duties 496 of the center; authorizing the center to convene 497 groups to assist in its work; authorizing the center 498 to request, and requiring certain boards to provide, 499 certain information regarding behavioral health 500 professionals licensed or practicing in this state; 501 requiring the center to submit an annual report of 502 certain information to the Governor and the 503 Legislature; requiring the Board of Governors of the 504 State University System and the State Board of

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505	Education, in consultation with the center, to adopt
506	certain regulations and rules, as applicable;
507	requiring the Department of Children and Families to
508	contract for a specified study of the state's
509	forensic, voluntary and involuntary civil commitment,
510	and statewide inpatient psychiatric programs;
511	requiring that the study be completed by a specified
512	date and include specified information and
513	recommendations; providing appropriations; providing
514	effective dates.