

By Senator Calatayud

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1                   A bill to be entitled  
2           An act relating to substance abuse and mental health  
3           care; amending s. 394.4573, F.S.; expanding mental  
4           health crisis services to include the 988 suicide and  
5           crisis lifeline call center; amending s. 394.67, F.S.;  
6           revising the definition of "crisis services" to  
7           include a 988 suicide and crisis lifeline call center  
8           and defining the term "988 suicide and crisis lifeline  
9           call center"; creating s. 394.9088, F.S.; requiring  
10          the Department of Children and Families to authorize  
11          and provide oversight of the 988 suicide and crisis  
12          lifeline call centers and adopt specified rules;  
13          amending s. 397.427, F.S.; removing requirements  
14          relating to providers of medication-assisted treatment  
15          services for opiate addiction; amending s. 916.111,  
16          F.S.; revising training requirements for mental health  
17          professionals; amending s. 916.115, F.S.; requiring  
18          court appointed experts to have completed specified  
19          training and continued education; amending s. 916.12,  
20          F.S.; providing requirements for an expert to  
21          determine acceptable treatments available in a  
22          community; amending ss. 394.674 and 394.74, F.S.;  
23          conforming cross-references; providing an effective  
24          date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

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28           Section 1. Paragraph (d) of subsection (2) of section  
29           394.4573, Florida Statutes, is amended to read:

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30           394.4573 Coordinated system of care; annual assessment;  
31 essential elements; measures of performance; system improvement  
32 grants; reports.—On or before December 1 of each year, the  
33 department shall submit to the Governor, the President of the  
34 Senate, and the Speaker of the House of Representatives an  
35 assessment of the behavioral health services in this state. The  
36 assessment shall consider, at a minimum, the extent to which  
37 designated receiving systems function as no-wrong-door models,  
38 the availability of treatment and recovery services that use  
39 recovery-oriented and peer-involved approaches, the availability  
40 of less-restrictive services, and the use of evidence-informed  
41 practices. The assessment shall also consider the availability  
42 of and access to coordinated specialty care programs and  
43 identify any gaps in the availability of and access to such  
44 programs in the state. The department's assessment shall  
45 consider, at a minimum, the needs assessments conducted by the  
46 managing entities pursuant to s. 394.9082(5). The department  
47 shall compile and include in the report all plans submitted by  
48 managing entities pursuant to s. 394.9082(8) and the  
49 department's evaluation of each plan.

50           (2) The essential elements of a coordinated system of care  
51 include:

52           (d) Crisis services, including the 988 suicide and crisis  
53 lifeline call center, mobile response teams, crisis  
54 stabilization units, addiction receiving facilities, and  
55 detoxification facilities.

56           Section 2. Subsections (1) through (25) of section 394.67,  
57 Florida Statutes, are renumbered as subsections (2) through  
58 (26), respectively, subsection (4) is amended, and a new

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59 subsection (1) is added to that section, to read:

60 394.67 Definitions.—As used in this part, the term:

61 (1) "988 suicide and crisis lifeline call center" means a  
62 call center meeting national accreditation and recognized by the  
63 department to receive 988 calls, texts, or other forms of  
64 communication in this state.

65 (4) "Crisis services" means short-term evaluation,  
66 stabilization, and brief intervention services provided to a  
67 person who is experiencing an acute mental or emotional crisis,  
68 as defined in subsection (19) ~~(18)~~, or an acute substance abuse  
69 crisis, as defined in subsection (20) ~~(19)~~, to prevent further  
70 deterioration of the person's mental health. Crisis services are  
71 provided in settings such as a crisis stabilization unit, an  
72 inpatient unit, a short-term residential treatment program, a  
73 detoxification facility, or an addictions receiving facility; at  
74 the site of the crisis by a mobile crisis response team; or at a  
75 hospital on an outpatient basis; or telephonically by a 988  
76 suicide and crisis lifeline call center.

77 Section 3. Section 394.9088, Florida Statutes, is created  
78 to read:

79 394.9088 988 suicide and crisis lifeline call center.—

80 (1) The department shall authorize and provide oversight to  
81 988 suicide and crisis lifeline call centers. Unless authorized  
82 by the department, call centers are not permitted to conduct 988  
83 suicide and crisis lifeline services. The department may  
84 implement a corrective action plan, suspension or revocation of  
85 authorization for failure to comply with this section and rules  
86 adopted under this section.

87 (2) The department shall adopt rules relating to:

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88 (a) The process for authorization of 988 suicide and crisis  
89 lifeline call centers.

90 (b) Minimum standards for 988 suicide and crisis lifeline  
91 call centers to be authorized, including but not limited to,  
92 service delivery, quality of care, and performance outcomes.

93 (c) The adequacy and consistency of 988 suicide and crisis  
94 lifeline call centers' personnel certifications, accreditations,  
95 quality assurance standards, and minimum training standards.

96 (d) Implementation of a cohesive statewide plan for 988  
97 suicide and crisis lifeline call centers to achieve statewide  
98 interoperability with the 911 system and to provide individuals  
99 with rapid and direct access to the appropriate care.

100 Section 4. Subsections (3) through (9) of section 397.427,  
101 Florida Statutes, are renumbered as subsections (2) through (8),  
102 respectively, and present subsections (2) and (5) are amended,  
103 to read:

104 397.427 Medication-assisted treatment service providers;  
105 rehabilitation program; needs assessment and provision of  
106 services; persons authorized to issue takeout medication;  
107 unlawful operation; penalty.—

108 ~~(2) The department shall determine the need for~~  
109 ~~establishing providers of medication-assisted treatment services~~  
110 ~~for opiate addiction.~~

111 ~~(a) Providers of medication-assisted treatment services for~~  
112 ~~opiate addiction may be established only in response to the~~  
113 ~~department's determination and publication of need for~~  
114 ~~additional medication treatment services.~~

115 ~~(b) If needs assessment is required, the department shall~~  
116 ~~annually conduct the assessment and publish a statement of~~

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117 ~~findings which identifies each substate entity's need.~~

118 ~~(c) Notwithstanding paragraphs (a) and (b), the license for~~  
119 ~~medication-assisted treatment programs for opiate addiction~~  
120 ~~licensed before October 1, 1990, may not be revoked solely~~  
121 ~~because of the department's determination concerning the need~~  
122 ~~for medication-assisted treatment services for opiate addiction.~~

123 ~~(4)(5) The department shall also determine the need for~~  
124 ~~establishing medication-assisted treatment for substance use~~  
125 ~~disorders other than opiate dependence. Service providers within~~  
126 ~~the publicly funded system shall be funded for provision of~~  
127 ~~these services based on the availability of funds.~~

128 Section 5. Paragraph (c) of subsection (1) of section  
129 916.111, Florida Statutes, is amended to read:

130 916.111 Training of mental health experts.—The evaluation  
131 of defendants for competency to proceed or for sanity at the  
132 time of the commission of the offense shall be conducted in such  
133 a way as to ensure uniform application of the criteria  
134 enumerated in Rules 3.210 and 3.216, Florida Rules of Criminal  
135 Procedure. The department shall develop, and may contract with  
136 accredited institutions:

137 (1) To provide:

138 (c) Training for mental health professionals in the  
139 application of these protocols and procedures in performing  
140 forensic evaluations and providing reports to the courts.  
141 Training must include, but is not limited to, information on  
142 statutes and rules related to competency restoration, evidence-  
143 based practices, least restrictive treatment alternatives and  
144 placement options as described in s. 916.12(4)(c); and

145 Section 6. Subsection (1) of section 916.115, Florida

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146 Statutes, is amended to read:

147 916.115 Appointment of experts.—

148 (1) The court shall appoint no more than three experts to  
149 determine the mental condition of a defendant in a criminal  
150 case, including competency to proceed, insanity, involuntary  
151 placement, and treatment. The experts may evaluate the defendant  
152 in jail or in another appropriate local facility or in a  
153 facility of the Department of Corrections.

154 (a) The court ~~To the extent possible,~~ The appointed experts  
155 shall:

156 1. have completed forensic evaluator training approved by  
157 ~~the department, and each shall~~ Be a psychiatrist, licensed  
158 psychologist, or physician.

159 2. Have completed initial and ongoing forensic evaluator  
160 training, provided by the department.

161 3. If performing juvenile evaluations, complete annually,  
162 juvenile forensic competency evaluation training approved by the  
163 department.

164 (b) Existing evaluators shall complete department-provided  
165 continuing education training by July 1, 2026, to remain active  
166 on the list.

167 (c) ~~(b)~~ The department shall maintain and annually provide  
168 the courts with a list of available mental health professionals  
169 who have completed the initial and annual approved training as  
170 experts.

171 Section 7. Paragraph (d) of subsection (4) of section  
172 916.12, Florida Statutes, is amended to read:

173 916.12 Mental competence to proceed.—

174 (4) If an expert finds that the defendant is incompetent to

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175 proceed, the expert shall report on any recommended treatment  
176 for the defendant to attain competence to proceed. In  
177 considering the issues relating to treatment, the examining  
178 expert shall specifically report on:

179 (d) The availability of acceptable treatment and, if  
180 treatment is available in the community, the expert shall so  
181 state in the report. In determining what acceptable treatments  
182 are available in the community, the expert shall, at a minimum,  
183 use current information or resources on less restrictive  
184 treatment alternatives, as described in paragraph (c) and those  
185 obtained from training and continuing education approved by the  
186 department.

187  
188 The examining expert's report to the court shall include a full  
189 and detailed explanation regarding why the alternative treatment  
190 options referenced in the evaluation are insufficient to meet  
191 the needs of the defendant.

192 Section 8. Paragraph (a) of subsection (1) of section  
193 394.674, Florida Statutes, is amended to read:

194 394.674 Eligibility for publicly funded substance abuse and  
195 mental health services; fee collection requirements.-

196 (1) To be eligible to receive substance abuse and mental  
197 health services funded by the department, an individual must be  
198 a member of at least one of the department's priority  
199 populations approved by the Legislature. The priority  
200 populations include:

201 (a) For adult mental health services:

202 1. Adults who have severe and persistent mental illness, as  
203 designated by the department using criteria that include

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204 severity of diagnosis, duration of the mental illness, ability  
205 to independently perform activities of daily living, and receipt  
206 of disability income for a psychiatric condition. Included  
207 within this group are:

- 208 a. Older adults in crisis.
- 209 b. Older adults who are at risk of being placed in a more  
210 restrictive environment because of their mental illness.
- 211 c. Persons deemed incompetent to proceed or not guilty by  
212 reason of insanity under chapter 916.
- 213 d. Other persons involved in the criminal justice system.
- 214 e. Persons diagnosed as having co-occurring mental illness  
215 and substance abuse disorders.

216 2. Persons who are experiencing an acute mental or  
217 emotional crisis as defined in s. 394.67 ~~s. 394.67(18)~~.

218 Section 9. Paragraph (a) of subsection (3) of section  
219 394.74, Florida Statutes, is amended to read:

220 394.74 Contracts for provision of local substance abuse and  
221 mental health programs.—

222 (3) Contracts shall include, but are not limited to:

223 (a) A provision that, within the limits of available  
224 resources, substance abuse and mental health crisis services, as  
225 defined in s. 394.67 ~~s. 394.67(4)~~, shall be available to any  
226 individual residing or employed within the service area,  
227 regardless of ability to pay for such services, current or past  
228 health condition, or any other factor;

229 Section 10. This act shall take effect July 1, 2025.