1 A bill to be entitled 2 An act relating to mental health and substance use 3 disorders; amending s. 394.457, F.S.; requiring the 4 Department of Children and Families to require certain 5 providers to use a specified assessment tool; revising 6 the minimum standards for a mobile crisis response 7 service; amending s. 394.459, F.S.; requiring 8 facilities to update treatment plans within specified 9 timeframes; amending s. 394.468, F.S.; revising 10 requirements for discharge planning regarding medications; amending s. 394.495, F.S.; requiring use 11 12 of a specified assessment tool; providing an exception; requiring the Department of Children and 13 14 Families, in consultation with the Department of 15 Education, to conduct a review biennially of school-16 based behavioral health access through telehealth; providing requirements for review; requiring the 17 Department of Children and Families to submit to the 18 Governor and the Legislature its findings by a 19 specified date; providing for expiration of the 20 21 review; amending s. 394.659, F.S.; requiring the 22 Criminal Justice, Mental Health, and Substance Abuse 23 Technical Assistance Center at the Louis de la Parte 24 Florida Mental Health Institute at the University of 25 South Florida to disseminate among grantees certain

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evidence-based practices and best practices; defining the term "person-first language"; amending s. 394.875, F.S.; requiring the Department of Children and Families, in consultation with the Agency for Health Care Administration, to conduct a review biennially to identify needs regarding short-term residential treatment facilities and beds; specifying actions the department must take under certain conditions; amending s. 394.9082, F.S.; requiring managing entities to promote use of person-first language and trauma-informed care and require use of a specified assessment tool; amending s. 1004.44, F.S.; revising the assistance and services the Louis de la Parte Florida Mental Health Institute is required to provide; revising the requirements of the Florida Center for Behavioral Health Workforce to promote behavioral health professions; amending s. 1006.041, F.S.; revising the plan components for mental health assistance programs; reenacting s. 394.463(2)(g), F.S., relating to involuntary examination, to incorporate the amendment made to s. 394.468, F.S., in a reference thereto; reenacting s. 394.4955(2)(c) and (6), F.S., relating to coordinated system of care and child and adolescent mental health treatment and support, to incorporate the amendment made to s.

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51	394.495, F.S., in references thereto; reenacting s.
52	1001.212(7), F.S., relating to the Office of Safe
53	Schools, to incorporate the amendment made to s.
54	1004.44, F.S., in a reference thereto; providing an
55	effective date.
56	
57	Be It Enacted by the Legislature of the State of Florida:
58	
59	Section 1. Subsection (3) and paragraph (c) of subsection
60	(5) of section 394.457, Florida Statutes, are amended, and
61	paragraph (d) is added to subsection (5) of that section, to
62	read:
63	394.457 Operation and administration
64	(3) POWER TO CONTRACT.—The department may contract to
65	provide, and be provided with, services and facilities in order
66	to carry out its responsibilities under this part with the
67	following agencies: public and private hospitals; receiving and
68	treatment facilities; clinics; laboratories; departments,
69	divisions, and other units of state government; the state
70	colleges and universities; the community colleges; private
71	colleges and universities; counties, municipalities, and any
72	other governmental unit, including facilities of the United
73	States Government; and any other public or private entity which
74	provides or needs facilities or services. The department shall
75	require any provider directly under contract with the department

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76 to use, at a minimum, the most recent version of the Daily 77 Living Activities-20 (DLA-20) functional assessment tool for any 78 patients requiring functional assessment, unless the department 79 specifies in rule the use of a different assessment tool. Baker 80 Act funds for community inpatient, crisis stabilization, shortterm residential treatment, and screening services must be 81 82 allocated to each county pursuant to the department's funding 83 allocation methodology. Notwithstanding s. 287.057(3)(e), contracts for community-based Baker Act services for inpatient, 84 85 crisis stabilization, short-term residential treatment, and 86 screening provided under this part, other than those with other 87 units of government, to be provided for the department must be 88 awarded using competitive sealed bids if the county commission 89 of the county receiving the services makes a request to the department's district office by January 15 of the contracting 90 91 year. The district may not enter into a competitively bid 92 contract under this provision if such action will result in 93 increases of state or local expenditures for Baker Act services 94 within the district. Contracts for these Baker Act services 95 using competitive sealed bids are effective for 3 years. The 96 department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic 97 98 audits and inspections to assure that the contracted services 99 are provided and meet the standards of the department.

100

(5) RULES.-

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101 The department shall adopt rules establishing minimum (C) 102 standards for services provided by a mental health overlay 103 program or a mobile crisis response service. Minimum standards 104 for a mobile crisis response service must: 105 1. Include the requirements of the child, adolescent, and 106 young adult mobile response teams established under s. 107 394.495(7) and ensure coverage of all counties by these 108 specified teams; and 109 2. Specify any training or other requirements applicable 110 to a mobile crisis response service available to persons age 65 and over to enable the service to meet the specialized needs of 111 112 such persons; and 113 3.2. Create a structure for general mobile response teams 114 which focuses on crisis diversion and the reduction of 115 involuntary commitment under this chapter. The structure must require, but need not be limited to, the following: 116 117 Triage and rapid crisis intervention within 60 minutes; a. Provision of and referral to evidence-based services 118 b. 119 that are responsive to the needs of the individual and the 120 individual's family; Screening, assessment, early identification, and care 121 с. 122 coordination; and Confirmation that the individual who received the 123 d. 124 mobile crisis response was connected to a service provider and 125 prescribed medications, if needed. Page 5 of 22

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126 Section 2. Paragraph (e) of subsection (2) of section 127 394.459, Florida Statutes, is amended to read: 128 394.459 Rights of patients.-(2) RIGHT TO TREATMENT.-129 130 (e) Not more than 5 days after admission to a facility, 131 each patient must shall have and receive an individualized 132 treatment plan in writing which the patient has had an 133 opportunity to assist in preparing and to review before prior to its implementation. The plan must shall include a space for the 134 135 patient's comments. Facilities shall update the treatment plan, including, but not limited to, the physician summary, at least 136 137 every 30 days during the time a patient is in a receiving or 138 treatment facility, except a patient retained for longer than 24 139 months shall have updates to his or her treatment plan at least 140 every 60 days. 141 Section 3. Subsection (2) of section 394.468, Florida 142 Statutes, is amended to read: 143 394.468 Admission and discharge procedures.-Discharge planning and procedures for any patient's 144 (2) release from a receiving facility or treatment facility must 145 146 include and document the patient's needs, and actions to address such needs, for, at a minimum: 147 148 (a) Followup Follow-up behavioral health appointments; Information on how to obtain prescribed medications, 149 (b) 150 including, but not limited to, administration of long-acting

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151 injectable medications. The discharge plan must address any 152 barriers faced by the patient to accessing long-acting 153 injectable medications after discharge if such medication is 154 part of the patient's plan; and 155 (C) Information pertaining to: 156 Available living arrangements; 1. 157 2. Transportation; and (d) Referral to: 158 159 1. Care coordination services. The patient must be referred for care coordination services if the patient meets the 160 161 criteria as a member of a priority population as determined by 162 the department under s. 394.9082(3)(c) and is in need of such 163 services. 164 2. Recovery support opportunities under s. 394.4573(2)(1), 165 including, but not limited to, connection to a peer specialist; 166 and 167 Administration of long-acting injectable medication (e) 168 before discharge if such medication is available to treat the 169 patient's diagnosed behavioral health condition and is 170 clinically appropriate for the patient. Section 4. Subsections (2) and (5) of section 394.495, 171 172 Florida Statutes, are amended to read: 173 394.495 Child and adolescent mental health system of care; 174 programs and services.-175 The array of services must include assessment services (2)

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176 that provide a professional interpretation of the nature of the 177 problems of the child or adolescent and his or her family; 178 family issues that may impact the problems; additional factors that contribute to the problems; and the assets, strengths, and 179 180 resources of the child or adolescent and his or her family. The 181 assessment services to be provided must shall be determined by 182 the clinical needs of each child or adolescent. Assessment tools 183 used must, at a minimum, include the use of the most recent version of the Daily Living Activities-20 (DLA-20) functional 184 185 assessment tool, unless the department specifies in rule the use of a different assessment tool. Assessment services include, but 186 187 are not limited to, evaluation and screening in the following 188 areas: 189 Physical and mental health for purposes of identifying (a) 190 medical and psychiatric problems. Psychological functioning, as determined through a 191 (b) 192 battery of psychological tests. 193 Intelligence and academic achievement. (C) 194 Social and behavioral functioning. (d) 195 Family functioning. (e) 196 197 The assessment for academic achievement is the financial 198 responsibility of the school district. The department shall cooperate with other state agencies and the school district to 199 avoid duplicating assessment services. 200

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201 (5) In order to enhance collaboration between agencies and 202 to facilitate the provision of services by the child and 203 adolescent mental health treatment and support system and the 204 school district: τ

205 <u>(a)</u> The local child and adolescent mental health system of 206 care shall include the local educational multiagency network for 207 severely emotionally disturbed students specified in s. 1006.04.

(b) 208 The department, in consultation with the Department of 209 Education, shall biennially review school-based behavioral health access in the state through telehealth, with an emphasis 210 on underserved and rural communities. The review shall, at a 211 212 minimum, assess gaps in the provision of school-based behavioral health services, the extent of use of telehealth for school-213 214 based behavioral health services, barriers to use and expansion 215 of such telehealth services, and recommendations to address 216 barriers and any implementation requirements. The review shall 217 also identify any new models for increasing school-based 218 behavioral health access. The Department of Children and 219 Families shall submit to the Governor, the President of the 220 Senate, and the Speaker of the House of Representatives its findings by January 1, beginning in 2026. This subsection 221 expires June 30, 2030, unless reenacted by the Legislature. 222 Paragraph (d) of subsection (1) of section 223 Section 5. 224 394.659, Florida Statutes, is amended to read: 225 394.659 Criminal Justice, Mental Health, and Substance

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226 Abuse Technical Assistance Center.-

(1) There is created a Criminal Justice, Mental Health,
and Substance Abuse Technical Assistance Center at the Louis de
la Parte Florida Mental Health Institute at the University of
South Florida, which shall:

231 (d) Disseminate and share evidence-based practices and 232 best practices among grantees, including, but not limited to, 233 the use of person-first language and trauma-responsive care, to 234 improve patient experiences and outcomes of individuals with 235 behavioral health conditions and encourage cooperative 236 engagement with such individuals. For purposes of this 237 paragraph, the term "person-first language" means language used 238 which emphasizes the individual as a person rather than the individual's disability, illness, or condition. 239

Section 6. Subsection (11) is added to section 394.875,
Florida Statutes, and paragraph (c) of subsection (1) and
paragraph (a) of subsection (8) of that section are republished,
to read:

244 394.875 Crisis stabilization units, residential treatment 245 facilities, and residential treatment centers for children and 246 adolescents; authorized services; license required.-

247 (1)

(c) The purpose of a residential treatment center for
children and adolescents is to provide mental health assessment
and treatment services pursuant to ss. 394.491, 394.495, and

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251 394.496 to children and adolescents who meet the target 252 population criteria specified in s. 394.493(1)(a), (b), or (c). 253 (8) (a) The department, in consultation with the agency, 254 must adopt rules governing a residential treatment center for 255 children and adolescents which specify licensure standards for: 256 admission; length of stay; program and staffing; discharge and 257 discharge planning; treatment planning; seclusion, restraints, 258 and time-out; rights of patients under s. 394.459; use of 259 psychotropic medications; and standards for the operation of 260 such centers. 261 (11) The department, in consultation with the agency, 262 shall biennially conduct a review to identify the need for new short-term residential treatment facilities and additional beds 263 264 in existing short-term residential treatment facilities. If 265 additional funding is necessary to address such need, the 266 department shall submit a legislative budget request for such 267 funding. If the department can address the need within existing 268 resources, the department shall take action to do so. 269 Section 7. Paragraphs (v) and (w) are added to subsection 270 (5) of section 394.9082, Florida Statutes, to read: 271 394.9082 Behavioral health managing entities.-272 (5) MANAGING ENTITY DUTIES.-A managing entity shall: (v) Promote the use of person-first language and trauma-273 informed responsive care among providers, peer organizations, 274 275 and family members, including, but not limited to, through

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276 training and sharing best practices. For purposes of this 277 paragraph, the term "person-first language" means language used 278 which emphasizes the patient as a person rather than that 279 patient's disability, illness, or condition. 280 (w) Require use of the most recent version of the Daily Living Activities-20 (DLA-20) functional assessment tool by all 281 282 providers under contract with the managing entity, unless the 283 department specifies in rule the use of a different assessment 284 tool. 285 Section 8. Paragraph (a) of subsection (6) of section 286 1004.44, Florida Statutes, is amended, and paragraph (h) is 287 added to subsection (1) of that section, to read: 288 1004.44 Louis de la Parte Florida Mental Health 289 Institute.-There is established the Louis de la Parte Florida 290 Mental Health Institute within the University of South Florida. 291 The purpose of the institute is to strengthen mental (1)292 health services throughout the state by providing technical 293 assistance and support services to mental health agencies and 294 mental health professionals. Such assistance and services shall 295 include: 296 (h) Submission of a report analyzing substance abuse and 297 mental health services provided in the state through publicly funded programs, including Medicare. The review shall, at a 298 299 minimum, identify services covered by such programs, assess 300 quality of care and cost management, and identify services for

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301 which additional providers are needed in the state. The 302 institute shall submit the report to the Governor, President of 303 the Senate, and Speaker of the House of Representatives by June 304 30, 2026.

305 (6)(a) There is established within the institute the 306 Florida Center for Behavioral Health Workforce. The purpose of 307 the center is to support an adequate, highly skilled, resilient, 308 and innovative workforce that meets the current and future human resources needs of the state's behavioral health system in order 309 310 to provide high-quality care, services, and supports to 311 Floridians with, or at risk of developing, behavioral health 312 conditions through original research, policy analysis, 313 evaluation, and development and dissemination of best practices. 314 The goals of the center are, at a minimum, to research the state's current behavioral health workforce and future needs; 315 expand the number of clinicians, professionals, and other 316 317 workers involved in the behavioral health workforce; and enhance 318 the skill level and innovativeness of the workforce. The center 319 shall, at a minimum, do all of the following:

1. Describe and analyze the current workforce and project possible future workforce demand, especially in critical roles, and develop strategies for addressing any gaps. The center's efforts may include, but need not be limited to, producing a statistically valid biennial analysis of the supply and demand of the behavioral health workforce.

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326 2. Expand pathways to behavioral health professions 327 through enhanced educational opportunities and improved faculty 328 development and retention. The center's efforts may include, but 329 need not be limited to:

a. Identifying best practices in the academic preparationand continuing education of behavioral health professionals.

b. Facilitating and coordinating the development of
 academic-practice partnerships that support behavioral health
 faculty employment and advancement.

c. Developing and implementing innovative projects to
support the recruitment, development, and retention of
behavioral health educators, faculty, and clinical preceptors.

338 d. Developing distance learning infrastructure for
339 behavioral health education and the evidence-based use of
340 technology, simulation, and distance learning techniques.

341 3. Promote behavioral health professions. The center's342 efforts may include, but need not be limited to:

a. Conducting original research on the factors affecting
recruitment, retention, and advancement of the behavioral health
workforce, such as designing and implementing a longitudinal
study of the state's behavioral health workforce.

b. Developing and implementing innovative projects to support the recruitment, development, and retention of behavioral health workers, including, but not limited to, projects to provide additional stipends, compensation, and

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351 financial support for clinical supervisors, workers, interns, 352 and students currently working in the behavioral health field. 353 Section 9. Subsection (2) of section 1006.041, Florida 354 Statutes, is amended to read: 355 1006.041 Mental health assistance program.-Each school 356 district must implement a school-based mental health assistance 357 program that includes training classroom teachers and other 358 school staff in detecting and responding to mental health issues 359 and connecting children, youth, and families who may experience 360 behavioral health issues with appropriate services. 361 (2) A plan required under subsection (1) must be focused 362 on a multitiered system of supports to deliver evidence-based 363 mental health care assessment, diagnosis, intervention, 364 treatment, and recovery services to students with one or more 365 mental health or co-occurring substance abuse diagnoses and to 366 students at high risk of such diagnoses. Assessment procedures 367 must, at a minimum, include the use of the most recent version 368 of the Daily Living Activities-20 (DLA-20) functional assessment 369 tool, unless the department specifies in rule the use of a different assessment tool. The department shall consult with the 370 371 Department of Children and Families before adopting rules 372 regarding use of a different assessment tool. The provision of 373 these services must be coordinated with a student's primary 374 mental health care provider and with other mental health 375 providers involved in the student's care. At a minimum, the plan

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376 must include all of the following components:

377 Direct employment of school-based mental health (a) 378 services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order 379 380 to better align with nationally recommended ratio models. The 381 providers shall include, but are not limited to, certified 382 school counselors, school psychologists, school social workers, 383 and other licensed mental health professionals. The plan must also identify strategies to increase the amount of time that 384 385 school-based student services personnel spend providing direct services to students, which may include the review and revision 386 387 of district staffing resource allocations based on school or 388 student mental health assistance needs.

389 Contracts or interagency agreements with one or more (b) 390 local community behavioral health providers or providers of 391 Community Action Team services to provide a behavioral health 392 staff presence and services at district schools. Services may 393 include, but are not limited to, mental health screenings and 394 assessments, individual counseling, family counseling, group 395 counseling, psychiatric or psychological services, trauma-396 informed care, mobile crisis services, and behavior 397 modification. These behavioral health services may be provided 398 on or off the school campus and may be supplemented by telehealth as defined in s. 456.47(1). 399

400

(c) Policies and procedures, including contracts with

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401 service providers, which will ensure that:

402 1. Students referred to a school-based or community-based 403 mental health service provider for mental health screening for 404 the identification of mental health concerns and students at 405 risk for mental health disorders are assessed within 15 days after referral. School-based mental health services must be 406 407 initiated within 15 days after identification and assessment, 408 and support by community-based mental health service providers 409 for students who are referred for community-based mental health 410 services must be initiated within 30 days after the school or district makes a referral. 411

412 2. Parents of a student receiving services under this 413 subsection are provided information about other behavioral 414 health services available through the student's school or local 415 community-based behavioral health services providers. A school 416 may meet this requirement by providing information about and 417 Internet addresses for web-based directories or guides for local 418 behavioral health services.

3. Individuals living in a household with a student receiving services under this subsection are provided information about behavioral health services available through other delivery systems or payors for which such individuals may qualify, if such services appear to be needed or enhancements in such individuals' behavioral health would contribute to the improved well-being of the student.

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(d) Strategies or programs to reduce the likelihood of atrisk students developing social, emotional, or behavioral health problems; depression; anxiety disorders; suicidal tendencies; or substance use disorders.

(e) Strategies to improve the early identification of
social, emotional, or behavioral problems or substance use
disorders; to improve the provision of early intervention
services; and to assist students in dealing with trauma and
violence.

435 (f) Procedures to assist a mental health services provider 436 or a behavioral health provider as described in paragraph (a) or 437 paragraph (b), respectively, or a school resource officer or 438 school safety officer who has completed mental health crisis 439 intervention training in attempting to verbally de-escalate a 440 student's crisis situation before initiating an involuntary examination pursuant to s. 394.463. Such procedures must include 441 442 strategies to de-escalate a crisis situation for a student with 443 a developmental disability as defined in s. 393.063.

(g) Policies of the school district which must require that in a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional who may initiate an involuntary examination pursuant to s. 394.463, unless the child poses an imminent danger to themselves or others, before initiating an involuntary examination pursuant to s. 394.463. Such contact may be in

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451 person or through telehealth. The mental health professional may 452 be available to the school district either by a contract or 453 interagency agreement with the managing entity, one or more 454 local community-based behavioral health providers, or the local 455 mobile response team, or be a direct or contracted school 456 district employee.

457 Section 10. For the purpose of incorporating the amendment
458 made by this act to section 394.468, Florida Statutes, in a
459 reference thereto, paragraph (g) of subsection (2) of section
460 394.463, Florida Statutes, is reenacted to read:

461

394.463 Involuntary examination.-

462

(2) INVOLUNTARY EXAMINATION.-

(g) The examination period must be for up to 72 hours and begins when a patient arrives at the receiving facility. For a minor, the examination shall be initiated within 12 hours after the patient's arrival at the facility. Within the examination period, one of the following actions must be taken, based on the individual needs of the patient:

1. The patient shall be released, unless he or she is
charged with a crime, in which case the patient shall be
returned to the custody of a law enforcement officer;

472 2. The patient shall be released, subject to subparagraph473 1., for voluntary outpatient treatment;

3. The patient, unless he or she is charged with a crime,shall be asked to give express and informed consent to placement

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476 as a voluntary patient and, if such consent is given, the 477 patient shall be admitted as a voluntary patient; or

478 4. A petition for involuntary services shall be filed in 479 the circuit court or with the county court, as applicable. When 480 inpatient treatment is deemed necessary, the least restrictive 481 treatment consistent with the optimum improvement of the 482 patient's condition shall be made available. The petition shall 483 be filed by one of the petitioners specified in s. 394.467, and 484 the court shall dismiss an untimely filed petition. If a patient's 72-hour examination period ends on a weekend or 485 486 holiday, including the hours before the ordinary business hours 487 on the morning of the next working day, and the receiving 488 facility:

a. Intends to file a petition for involuntary services,
such patient may be held at the facility through the next
working day thereafter and the petition must be filed no later
than such date. If the facility fails to file the petition by
the ordinary close of business on the next working day, the
patient shall be released from the receiving facility following
approval pursuant to paragraph (f).

b. Does not intend to file a petition for involuntary services, the 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 procedures in accordance with s. 394.468, and

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501 approval pursuant to paragraph (f), are not possible until the 502 next working day.

503 Section 11. For the purpose of incorporating the amendment 504 made by this act to section 394.495, Florida Statutes, in 505 references thereto, paragraph (c) of subsection (2) and 506 subsection (6) of section 394.4955, Florida Statutes, are 507 reenacted to read:

508394.4955Coordinated system of care; child and adolescent509mental health treatment and support.-

510 (2)

(c) To the extent permitted by available resources, the coordinated system of care shall include the array of services listed in s. 394.495.

(6) The managing entity shall identify gaps in the arrays
of services for children and adolescents listed in s. 394.495
available under each plan and include relevant information in
its annual needs assessment required by s. 394.9082.

518 Section 12. For the purpose of incorporating the amendment 519 made by this act to section 1004.44, Florida Statutes, in a 520 reference thereto, subsection (7) of section 1001.212, Florida 521 Statutes, is reenacted to read:

522 1001.212 Office of Safe Schools.—There is created in the 523 Department of Education the Office of Safe Schools. The office 524 is fully accountable to the Commissioner of Education. The 525 office shall serve as a central repository for best practices,

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526 training standards, and compliance oversight in all matters 527 regarding school safety and security, including prevention 528 efforts, intervention efforts, and emergency preparedness 529 planning. The office shall:

(7) Provide data to support the evaluation of mental health services pursuant to s. 1004.44. Such data must include, for each school, the number of involuntary examinations as defined in s. 394.455 which are initiated at the school, on school transportation, or at a school-sponsored activity and the number of children for whom an examination is initiated.

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Section 13. This act shall take effect July 1, 2025.

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