

## Committee on Children, Families, And Elder Affairs

### **CS/SB 12 — Mental Health and Substance Abuse**

by Appropriations Committee and Senators Garcia, Galvano and Ring

The bill addresses Florida's system for the delivery of behavioral health services. The bill provides for mental health services for children, parents, and others seeking custody of children involved in dependency court proceedings. The bill identifies the components of a coordinated system of care to be provided for individuals with mental illness or substance use disorder and defines a "No Wrong Door" model for accessing care.

The Agency for Health Care Administration (AHCA) and the Department of Children and Families (DCF) are directed to modify licensure requirements through the rulemaking process if possible, to create an option for a single, consolidated license to provide both mental health and substance use disorder services. For modifications requiring statutory revisions, the agency and the department shall produce a plan for consolidation to the Legislature by November 1, 2016.

Additionally, by December 31, 2016, AHCA and DCF are directed to develop a plan to increase federal funding for behavioral health care; compile detailed documentation of the cost and reimbursements for Medicaid covered services provided to Medicaid eligible individuals by providers of behavioral health care services. If the report provides clear and convincing evidence that Medicaid reimbursements are less than the costs of providing services, the agency and the department shall request additional trust fund authority necessary to draw down Medicaid funds as a match for the documented general revenue expenditures supporting covered services delivered to eligible individuals.

To more closely align the Baker Act (mental illness) and Marchman Act (substance abuse), the bill modifies the legal procedures and timelines, as well as processes for assessment, evaluation, and provision of services.

The duties and responsibilities of DCF are revised for the contract and oversight of the managing entities<sup>1</sup>. The duties and responsibilities of the managing entities are also revised. The new duties include, among others, the requirement to conduct a community behavioral health care needs assessment every three years in the geographic area served by the managing entity; determine the optimal array of services to meet the needs identified in the needs assessment and develop strategies to divert people with mental illness or substance use disorder from the criminal justice system and collaborate with the Department of Juvenile Justice and the state court system to integrate behavioral health services with the child welfare system.

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<sup>1</sup> See s. 394.9082, F.S. A managing entity is a not-for-profit corporation organized in Florida which is under contract with DCF on a regional basis to manage the day-to-day operational delivery of behavioral health services through an organized system of care and a network of providers who are contracted with the managing entity to provide a comprehensive array of emergency, acute care, residential, outpatient, recovery support, and consumer support services related to behavioral health.

By September 1 of each year, beginning in 2017, each managing entity is required to develop and submit a plan to the department describing the strategies for enhancing services and addressing three to five priority needs in the service area. The plans must be developed with input from consumers and their families, local governments, local law enforcement agencies, and other stakeholders.

The department is directed to update the crisis stabilization services utilization database. The database is renamed the acute care services utilization database. Managing entities are required to collect utilization data from all public receiving facilities situated within its geographical service area and all detoxification and addictions receiving facilities under contract with the managing entity.

The bill allows a crisis stabilization unit, a short-term residential treatment facility, or an integrated adult mental health crisis stabilization and addictions receiving facility that is collocated with a centralized receiving facility to be in a multi-story building and may be authorized on floors other than the ground floor.

The department is to develop certain forms to be used by law enforcement for use when a person is taken into custody under chapter 397. The department is also to develop a website and post standard forms to be used to file a petition for involuntary admission under the Marchman Act.

The bill has a fiscal impact of \$400,000 in nonrecurring funds from the Operations and Maintenance Trust Fund to DCF for the purpose of modifying the existing crisis stabilization database to collect and analyze data and information pursuant to s. 397.321, F.S.

If approved by the Governor, these provisions take effect July 1, 2016

*Vote: Senate 38-0; House 118-1*