

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

---

BILL: CS/SB 344

INTRODUCER: Education Pre-K - 12 Committee and Senator Sobel

SUBJECT: Mental Health Education

DATE: April 3, 2015

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	<b>Fav/CS</b>
2.	Crosier	Hendon	CF	<b>Pre-meeting</b>
3.			AED	
4.			AP	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 344 requires the Department of Education to provide each public school district with comprehensive information to maximize federal and private grants for mental health education, awareness, and training, or similar programs.

The department must post information on the front page of the website, provide annual notification of available federal and private grants, send information to school districts electronically, provide assistance upon request, and encourage school districts to research and apply for grants. The department must have information available to districts no later than September 30, 2015, and annually thereafter.

The bill takes effect on July 1, 2015.

**II. Present Situation:**

Untreated behavioral health disorders constitute major health problems, are an economic burden, and place demands on juvenile and adult criminal justice, child welfare, and health care systems.<sup>1</sup> One in four families has at least one member suffering from mental illness.<sup>2</sup> About 12

---

<sup>1</sup> Section 394.9082, F.S.

<sup>2</sup> *Mental Illness: The Invisible Menace: More impacts and facts*, <http://www.mentalmenace.com/impactsfacts.php> (last visited April 5, 2015).

million children under the age of 18 suffer from mental disorders.<sup>3</sup> In addition, suicide is the third leading cause of death for people between the ages of 15 and 24.<sup>4</sup>

### **Current Legislative Findings and Intent**

The Legislature finds that behavioral health disorders respond to appropriate treatment, rehabilitation, and supportive intervention.<sup>5</sup> It is the intent of the Legislature to recommend that mental health programs and services are available to help support and strengthen families so the family can more adequately meet the mental health needs of the family's child or adolescent.<sup>6</sup> Current law provides for support services, that are integrated and linked with schools, residential child-caring agencies, and other child related agencies and programs, to be available for children and adolescents.<sup>7</sup> Community-based networks work to educate people to recognize emotional disturbance in children and adolescents and provide information for obtaining access to appropriate treatment and support services.<sup>8</sup>

### **Mental Health Program**

The state mental health program provides services to reduce the occurrence and disabling effects of mental health problems.<sup>9</sup> State funded mental health services are provided through the Department of Children and Families and serve nearly 200,000 individuals in four client groups.<sup>10</sup> The program serves:<sup>11</sup>

- Adults with a mental illness who live in the community;
- Children with emotional disturbances;
- Adults served in mental health treatment facilities; and
- Sexually violent predators.

The Department of Children and Families (DCF) provides a comprehensive statewide service program of mental health, including community services, receiving and treatment facilities, child services, research, and training.<sup>12</sup> Private, non-profit mental health centers provide community-based mental health services through a contract with regional behavioral health managing entities.<sup>13</sup> Institutional services are provided at six mental health treatment facilities, three of which are operated by DCF and three of which are operated under contract with providers.<sup>14</sup>

---

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Section 394.9082, F.S.

<sup>6</sup> Section 394.491(8), F.S.

<sup>7</sup> Section 394.491(9), F.S.

<sup>8</sup> Section 394.491(14), F.S.

<sup>9</sup> Section 394.453, F.S.

<sup>10</sup> OPPAGA, *FGAR, DCF Mental Health Services Program*, available at <http://www.oppaga.state.fl.us/profiles/5045/>.

<sup>11</sup> *Id.*

<sup>12</sup> Section 394.457(2)(a), F.S.

<sup>13</sup> OPPAGA, *FGAR, DCF Mental Health Services Program*, available at <http://www.oppaga.state.fl.us/profiles/5045/>.

<sup>14</sup> *Id.*

### ***Children's Mental Health Program***

Currently, the Children's Mental Health Program coordinates a network of community-based services and support that is youth-guided and family-driven to produce individualized, evidence-based, culturally, and linguistically competent outcomes for children and families.<sup>15</sup>

The program provides funding for in-home and community based services, and provides for the coordination and management of the Juvenile Incompetent to Proceed Program<sup>16</sup> to help provide a smooth transition from the children's mental health to the adult mental health system for continued age-appropriate services and supports.<sup>17</sup>

### **Substance Abuse Program**

The state substance abuse program is designed to support the prevention and remediation of substance abuse through the provision of a comprehensive system of prevention, detoxification, and treatment services to assist individuals at risk for or affected by substance abuse.<sup>18</sup>

Both the United States Congress and the Florida Legislature have recognized that substance abuse is a major health problem that leads to profoundly disturbing consequences, such as serious impairment, chronic addiction, criminal behavior, injury, and death, and contributes to spiraling health care costs.<sup>19</sup> Substance abuse impairment is a disease which affects the whole family, as well as the community, and requires effective, specialized prevention, intervention, and treatment services.<sup>20</sup>

The substance abuse program provides services to individuals to reduce the occurrence, severity, and disabling effects of substance abuse problems.<sup>21</sup> Substance abuse prevention, treatment, and other services are provided through nonprofit managing entities<sup>22</sup> to oversee networks of community-based providers.<sup>23</sup> Major functions of the substance abuse program are planning, policy development, implementation and administration, administration of funds, provision of a comprehensive and integrated system of care, and the regulation of substance abuse services and treatment facilities.<sup>24</sup>

---

<sup>15</sup> Florida Department of children and Families, *Children's Mental Health*, available at <http://www.myflfamilies.com/service-programs/mental-health/childrens-mental-health-services>.

<sup>16</sup> Florida's Juvenile Incompetent to Proceed Program provides competency restoration services to juveniles who have been charged with a felony prior to their 18<sup>th</sup> birthday and do not have the ability to participate in legal proceedings due to their mental illness, mental retardation, or autism.

<sup>17</sup> Florida Department of children and Families, *Children's Mental Health*, available at <http://www.myflfamilies.com/service-programs/mental-health/childrens-mental-health-services>.

<sup>18</sup> Florida Department of Children and Families, *Program Information*, available at <http://www.myflfamilies.com/service-programs/substance-abuse/program-information>.

<sup>19</sup> OPPAGA, *FGAR, DCF Substance Abuse Program* (May 2014), available at <http://www.oppaga.state.fl.us/profiles/5057/>.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> Section 394.9082, F.S.

<sup>23</sup> Florida Department of Children and Families, *Managing Entities*, available at <http://www.myflfamilies.com/service-programs/substance-abuse/managing-entities>.

<sup>24</sup> OPPAGA, *FGAR, DCF Substance Abuse Program* (May 2014), available at <http://www.oppaga.state.fl.us/profiles/5057/>.

The substance abuse program services for adults and children include:<sup>25</sup>

- Prevention services;
- Intervention services;
- Assessment services;
- Residential treatment;
- Non-residential treatment; and
- Detoxification services.

### **III. Effect of Proposed Changes:**

CS/SB 344 requires the Department of Education to provide each public school district with comprehensive information to maximize federal and private grants for mental health education, awareness, and training, or similar programs.

The bill requires the Department of Education to provide information on mental health education, awareness, and training by:

- Posting information on the front page of website;
- Providing annual notification of available federal and private grants;
- Sending information to school districts electronically;
- Providing assistance upon request;
- Encouraging school districts to do research and apply for grants; and
- Requiring the department to have information available to school districts no later than September 30, 2015, and annually thereafter.

The bill takes effect on July 1, 2015.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

---

<sup>25</sup> *Id.*

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida law.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education Pre-K – 12 on March 31, 2015:**

- The CS:
  - Modifies the title from “an act relating to the establishment of a mental health first aid training program” to “an act relating to mental health education.”
  - Removes prescriptive provisions requiring the Department of Education to establish a mental health first aid training program and contract with a statewide association.
  - Removes the appropriation of \$300,000.
  - Adds requirements for the Department of Education to provide information on federal and private grants for mental health education, awareness, and training, or similar programs to school districts and post information on its website.

**B. Amendments:**

None.