

**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.)

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Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

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BILL: SB 344

INTRODUCER: Senator Sobel

SUBJECT: Establishment of a Mental Health First Aid Training Program

DATE: March 30, 2015

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

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

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**I. Summary:**

SB 344 requires the Department of Education to establish a mental health first aid training program and requires a competitive procurement process to select a statewide association to develop, implement, and manage the program. The bill requires the department to submit a report on the implementation of the program to the Governor and Legislature; provides an appropriation of \$300,000 for the program; and requires the Office of Program Policy Analysis and Government Accountability to conduct a statewide study on mental health training programs and submit a report to the Legislature.

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 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>

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<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 March 26, 2015).

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

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

## 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>

## 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>

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<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.*

<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>.

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>

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.

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<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/>.

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

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

#### **Program Requirements**

##### ***Mental Health Training Program***

SB 344 requires the Department of Education to establish a mental health first aid training program to help the public identify and understand the signs of mental illness and substance use disorders and provide the public with the skills to help a person who is developing or experiencing a mental health or substance use problem.

The training program must include, but is not limited to:

- Overview on mental illnesses and substance use disorders, and the need to reduce the stigma of mental illness;
- Information on the potential risk factors, warning signs,<sup>26</sup> and common treatments;
- An action plan that encompasses skills, resources, and knowledge needed to assess, select, and implement appropriate interventions; and
- Help for an individual to receive the appropriate professional, peer, social, or self-help care.

##### ***Competitive Procurement Process***

The Department of Education is required to use a competitive procurement process to select a statewide association for mental health or substance abuse awareness or treatment to develop, implement, and manage the program.

##### ***Contractor Responsibilities***

The contractor is responsible for administering the program in a way that maximizes the availability of mental health first aid training throughout the state, which may include, but is not limited to, contracting with trained instructors or training additional instructors.

In addition, the contractor must ensure that instructors have current certification by a national authority on mental health first aid programs, prioritize training for staff in educational institutions K-20,<sup>27</sup> and prioritize training for first responders and other individuals.

##### ***Department of Education Report***

The Department of Education is responsible for submitting a report on the implementation and effectiveness of a mental health first aid training program.

The report must include, but not be limited to:

- Description of the implementation of the program;
- Number of individuals trained by geographic area;
- Areas of employment or affiliation;
- Impact of the training; and

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<sup>26</sup> Warning signs of mental illness or substance use disorders may include, but not limited to: depression, anxiety, psychosis, eating disorders, and self-injury.

<sup>27</sup> The prioritized training must include all components of the K-20 educational system as defined in s. 1000.04, F.S., private schools as defined in s. 1002.42, F.S., and colleges and universities as defined in s. 1005.02, F.S.

- Recommendations regarding continued implementation.

The Department of Education is required to submit a report to the Governor, President of the Senate and the Speaker of the House of Representatives by February 1, 2018.

***Office of Program Policy Analysis and Government Accountability***

The bill requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a study on mental health training programs in Florida that help the public to identify and understand the signs of mental illness and substance use disorders and provide the public with skills to help a person who is developing or experiencing a mental health or substance use problem.

The OPPAGA study will be responsible for:

- Identifying major providers of mental health training programs;
- Identifying the cost of the programs to recipients;
- Determining the availability of programs;<sup>28</sup>
- Surveying organizations;<sup>29</sup>
- Collecting data and information from all state agencies and contractors receiving state funds; and
- Including recommendations for enhancing availability of mental health training programs in the state.

OPPAGA is required to report the findings to the President of the Senate and the Speaker of the House of Representatives by February 1, 2016.

***Funding and Expiration Date***

Nonrecurring funds in the sum of \$300,000, for fiscal year 2015-2016, is appropriated from the Federal Grants Trust Fund to the Department of Education for implementation.

The mental health first aid training program expires on June 30, 2018.

The bill takes effect on July 1, 2015.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

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<sup>28</sup> The OPPAGA study will assess the availability of programs to the general public and specified groups, including employees of educational institutions, which comprise all components of the K-20 education system, private schools, colleges and universities, first responders, and other personnel who are likely to have contact with individuals with mental health and substance use disorders who are in need of assistance.

<sup>29</sup> The organizations may include, but are not limited to, managing entities, not-for-profit organizations providing mental health training.

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

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**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.)

None.

**B. Amendments:**

None.