

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Silvers offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 50-91 and insert:

7 committing court's jurisdiction for the hearing. If the
 8 defendant is receiving psychotropic medication at the mental
 9 health facility at the time he or she is discharged and
 10 transferred to the jail, the administration of such medication
 11 shall continue unless the jail physician documents the need to
 12 change or discontinue such medication. The jail physician and
 13 the department physician shall collaborate to ensure that any
 14 medication changes will not adversely affect the defendant's
 15 mental health status and ability to continue with court
 16 proceedings, with the final authority regarding the

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17 administration of medication to an inmate in jail resting with
18 the jail physician.

19 Section 3. Subsections (3) and (5) of section 916.15,
20 Florida Statutes, are amended to read:

21 916.15 Involuntary commitment of defendant adjudicated not
22 guilty by reason of insanity.—

23 (3) Every defendant acquitted of criminal charges by
24 reason of insanity and found to meet the criteria for
25 involuntary commitment may be committed and treated in
26 accordance with the provisions of this section and the
27 applicable Florida Rules of Criminal Procedure. The department
28 shall admit a defendant so adjudicated to an appropriate
29 facility or program for treatment and shall retain and treat
30 such defendant. No later than 6 months after the date of
31 admission, prior to the end of any period of extended
32 commitment, or at any time the administrator or designee shall
33 have determined that the defendant no longer meets the criteria
34 for continued commitment placement, the administrator or
35 designee shall file a report with the court pursuant to the
36 applicable Florida Rules of Criminal Procedure. Within 2
37 business days after receipt of a commitment order and other
38 documents as required by rule, the department shall request from
39 the jail any and all medical information pertaining to the
40 defendant. Within 3 business days after receipt of such a

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41 request, the jail shall provide such information to the
42 department.

43 (5) The commitment hearing shall be held within 30 days
44 after the court receives notification that the defendant no
45 longer meets the criteria for continued commitment. The
46 defendant must be transported to the committing court's
47 jurisdiction for the hearing. If the defendant is receiving
48 psychotropic medication at the mental health facility at the
49 time he or she is discharged and transferred to the jail, the
50 administration of such medication shall continue unless the jail
51 physician documents the need to change or discontinue such
52 medication. The jail physician and the department physician
53 shall collaborate to ensure that any medication changes will not
54 adversely affect the defendant's mental health status and
55 ability to continue with court proceedings, with the final
56 authority regarding the administration of medication to an
57 inmate in jail resting with the jail physician.

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60 **T I T L E A M E N D M E N T**

61 Remove line 14 and insert:
62 and transfer to jails under certain conditions;
63 specifying that final authority regarding the
64 administration of such medication rests with the jail
65 physician;