

1                   A bill to be entitled  
2           An act relating to behavioral health of minors;  
3           amending s. 394.463, F.S.; revising deadlines for  
4           submission of documentation regarding involuntary  
5           examinations; amending s. 1006.12, F.S.; establishing  
6           priority for receipt of certain mental health training  
7           by school resource officers and school safety  
8           officers; amending s. 1012.583, F.S.; revising  
9           responsibilities of the Department of Education and  
10          the Statewide Office for Suicide Prevention; revising  
11          criteria for designation as a Certified Suicide  
12          Prevention School; requiring the department, school  
13          district, and each school to post certain information  
14          regarding Certified Suicide Prevention Schools on its  
15          website; providing an effective date.

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17   Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Paragraph (a) of subsection (2) of section  
20   394.463, Florida Statutes, is amended to read:

21           394.463 Involuntary examination.—

22           (2) INVOLUNTARY EXAMINATION.—

23           (a) An involuntary examination may be initiated by any one  
24   of the following means:

25           1. A circuit or county court may enter an ex parte order  
26 stating that a person appears to meet the criteria for  
27 involuntary examination and specifying the findings on which  
28 that conclusion is based. The ex parte order for involuntary  
29 examination must be based on written or oral sworn testimony  
30 that includes specific facts that support the findings. If other  
31 less restrictive means are not available, such as voluntary  
32 appearance for outpatient evaluation, a law enforcement officer,  
33 or other designated agent of the court, shall take the person  
34 into custody and deliver him or her to an appropriate, or the  
35 nearest, facility within the designated receiving system  
36 pursuant to s. 394.462 for involuntary examination. The order of  
37 the court shall be made a part of the patient's clinical record.  
38 A fee may not be charged for the filing of an order under this  
39 subsection. A facility accepting the patient based on this order  
40 must send a copy of the order to the department within 5 ~~the~~  
41 ~~next~~ working days ~~day~~. The order may be submitted electronically  
42 through existing data systems, if available. The order shall be  
43 valid only until the person is delivered to the facility or for  
44 the period specified in the order itself, whichever comes first.  
45 If no time limit is specified in the order, the order shall be  
46 valid for 7 days after the date that the order was signed.

47           2. A law enforcement officer shall take a person who  
48 appears to meet the criteria for involuntary examination into  
49 custody and deliver the person or have him or her delivered to

50 an appropriate, or the nearest, facility within the designated  
51 receiving system pursuant to s. 394.462 for examination. The  
52 officer shall execute a written report detailing the  
53 circumstances under which the person was taken into custody,  
54 which must be made a part of the patient's clinical record. Any  
55 facility accepting the patient based on this report must send a  
56 copy of the report to the department within 5 ~~the next~~ working  
57 days ~~day~~.

58 3. A physician, clinical psychologist, psychiatric nurse,  
59 mental health counselor, marriage and family therapist, or  
60 clinical social worker may execute a certificate stating that he  
61 or she has examined a person within the preceding 48 hours and  
62 finds that the person appears to meet the criteria for  
63 involuntary examination and stating the observations upon which  
64 that conclusion is based. If other less restrictive means, such  
65 as voluntary appearance for outpatient evaluation, are not  
66 available, a law enforcement officer shall take into custody the  
67 person named in the certificate and deliver him or her to the  
68 appropriate, or nearest, facility within the designated  
69 receiving system pursuant to s. 394.462 for involuntary  
70 examination. The law enforcement officer shall execute a written  
71 report detailing the circumstances under which the person was  
72 taken into custody. The report and certificate shall be made a  
73 part of the patient's clinical record. Any facility accepting  
74 the patient based on this certificate must send a copy of the

75 | certificate to the department within 5 ~~the next~~ working days  
 76 | ~~day~~. The document may be submitted electronically through  
 77 | existing data systems, if applicable.

78 | Section 2. Subsection (3) is added to section 1006.12,  
 79 | Florida Statutes, to read:

80 | 1006.12 School resource officers and school safety  
 81 | officers.—

82 | (3) School resource officers and school safety officers  
 83 | shall be given priority for enrollment in any crisis  
 84 | intervention training, Mental Health First Aid training, or  
 85 | similar training offered by or through their employing agency to  
 86 | identify students or other individuals who may have a mental  
 87 | illness or substance use disorder or may be suffering from a  
 88 | behavioral health crisis and learn approaches and techniques for  
 89 | addressing such needs.

90 | Section 3. Section 1012.583, Florida Statutes, is amended  
 91 | to read:

92 | 1012.583 Continuing education and inservice training for  
 93 | youth suicide awareness and prevention.—

94 | (1) By July 1, 2019 ~~Beginning with the 2016–2017 school~~  
 95 | ~~year,~~ the Department of Education, in consultation with the  
 96 | Statewide Office for Suicide Prevention and suicide prevention  
 97 | experts, shall develop a list of approved youth suicide  
 98 | awareness and prevention training materials and suicide  
 99 | screening instruments that may be used for training in youth

100 suicide awareness, suicide ~~and~~ prevention, and suicide screening  
101 for instructional personnel in elementary school, middle school,  
102 and high school. The approved list of materials:

103 (a) Must identify available standardized suicide screening  
104 instruments appropriate for use with a school-age population and  
105 which have validity and reliability and include information  
106 about obtaining instruction in the administration and use of  
107 such instruments.

108 (b) ~~(a)~~ Must include training on how to identify  
109 appropriate mental health services and how to refer youth and  
110 their families to those services.

111 (c) ~~(b)~~ May include materials currently being used by a  
112 school district if such materials meet any criteria established  
113 by the department.

114 (d) ~~(e)~~ May include programs that instructional personnel  
115 can complete through a self-review of approved youth suicide  
116 awareness and prevention materials.

117 (2) A school ~~that chooses to incorporate 2 hours of~~  
118 ~~training offered pursuant to this section~~ shall be considered a  
119 "Suicide Prevention Certified School-" if it:

120 (a) Incorporates 2 hours of training offered pursuant to  
121 this section. The training must be included in the existing  
122 continuing education or inservice training requirements for  
123 instructional personnel and may not add to the total hours  
124 currently required by the department. A school that chooses to

125 | participate in the training must require all instructional  
126 | personnel to participate.

127 |       **(b) Has at least two school-based staff members certified**  
128 | **or otherwise deemed competent in the use of a suicide screening**  
129 | **instrument pursuant to paragraph (1)(a), and has a policy to use**  
130 | **such suicide risk screening instrument to evaluate a student's**  
131 | **suicide risk before requesting the initiation of, or initiating,**  
132 | **an involuntary examination due to concerns about that student's**  
133 | **suicide risk.**

134 |       (3) A school that meets the criteria in subsection (2)  
135 | ~~participates in the suicide awareness and prevention training~~  
136 | ~~pursuant to this section~~ must report its compliance  
137 | ~~participation~~ to the department. The department shall keep an  
138 | updated record of all Suicide Prevention Certified Schools and  
139 | shall post the list of these schools on the department's  
140 | website. Each school shall also post on its own website whether  
141 | it is a Suicide Prevention Certified School, and each school  
142 | district shall post on its district website a list of the  
143 | suicide prevention certified schools in that district.

144 |       (4) A person has no cause of action for any loss or damage  
145 | caused by an act or omission resulting from the implementation  
146 | of this section or resulting from any training required by this  
147 | section unless the loss or damage was caused by willful or  
148 | wanton misconduct. This section does not create any new duty of  
149 | care or basis of liability.

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150           (5) The State Board of Education may adopt rules to  
151 implement this section.

152           Section 4. This act shall take effect July 1, 2018.