

26 | 381.0056, Florida Statutes, is amended to read:

27 | 381.0056 School health services program.—

28 | (4) (a) Each county health department shall develop,
 29 | jointly with the district school board and the local school
 30 | health advisory committee, a school health services plan. The
 31 | plan must include, at a minimum, provisions for all of the
 32 | following:

- 33 | 1. Health appraisal;
- 34 | 2. Records review;
- 35 | 3. Nurse assessment;
- 36 | 4. Nutrition assessment;
- 37 | 5. A preventive dental program;
- 38 | 6. Vision screening;
- 39 | 7. Hearing screening;
- 40 | 8. Scoliosis screening;
- 41 | 9. Growth and development screening;
- 42 | 10. Health counseling;
- 43 | 11. Referral and followup of suspected or confirmed health
 44 | problems by the local county health department;
- 45 | 12. Meeting emergency health needs in each school;
- 46 | 13. County health department personnel to assist school
 47 | personnel in health education curriculum development;
- 48 | 14. Referral of students to appropriate health treatment,
 49 | in cooperation with the private health community whenever
 50 | possible;

51 15. Consultation with a student's parent or guardian
52 regarding the need for health attention by the family physician,
53 dentist, or other specialist when definitive diagnosis or
54 treatment is indicated;

55 16. Maintenance of records on incidents of health
56 problems, corrective measures taken, and such other information
57 as may be needed to plan and evaluate health programs; except,
58 however, that provisions in the plan for maintenance of health
59 records of individual students must be in accordance with s.
60 1002.22;

61 17. Health information which will be provided by the
62 school health nurses, when necessary, regarding the placement of
63 students in exceptional student programs and the reevaluation at
64 periodic intervals of students placed in such programs;

65 18. Notification to the local nonpublic schools of the
66 school health services program and the opportunity for
67 representatives of the local nonpublic schools to participate in
68 the development of the cooperative health services plan; and

69 19. ~~Immediate~~ Notification to a student's parent,
70 guardian, or caregiver if the student is removed from school,
71 school transportation, or a school-sponsored activity and taken
72 to a receiving facility for an involuntary examination pursuant
73 to s. 394.463, including the requirements established under ss.
74 1002.20(3) and 1002.33(9), as applicable. Such notification
75 shall include:

76 a. Notification prior to the student's removal for an
77 involuntary examination, if such notification will not cause a
78 delay that jeopardizes the student's or another individual's
79 physical or mental health or safety.

80 b. Immediate notification upon the student's removal for
81 an involuntary examination.

82 Section 2. Paragraphs (a) and (g) of subsection (2) of
83 section 394.463, Florida Statutes, are amended to read:

84 394.463 Involuntary examination.—

85 (2) INVOLUNTARY EXAMINATION.—

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

88 1. A circuit or county court may enter an ex parte order
89 stating that a person appears to meet the criteria for
90 involuntary examination and specifying the findings on which
91 that conclusion is based. The ex parte order for involuntary
92 examination must be based on written or oral sworn testimony
93 that includes specific facts that support the findings. If other
94 less restrictive means are not available, such as voluntary
95 appearance for outpatient evaluation, a law enforcement officer,
96 or other designated agent of the court, shall take the person
97 into custody and deliver him or her to an appropriate, or the
98 nearest, facility within the designated receiving system
99 pursuant to s. 394.462 for involuntary examination. The order of
100 the court shall be made a part of the patient's clinical record.

101 A fee may not be charged for the filing of an order under this
102 subsection. A facility accepting the patient based on this order
103 must send a copy of the order to the department within 5 ~~the~~
104 ~~next~~ working days ~~day~~. The order may be submitted electronically
105 through existing data systems, if available. The order shall be
106 valid only until the person is delivered to the facility or for
107 the period specified in the order itself, whichever comes first.
108 If no time limit is specified in the order, the order shall be
109 valid for 7 days after the date that the order was signed.

110 2. A law enforcement officer shall take a person who
111 appears to meet the criteria for involuntary examination into
112 custody and deliver the person or have him or her delivered to
113 an appropriate, or the nearest, facility within the designated
114 receiving system pursuant to s. 394.462 for examination. The
115 officer shall execute a written report detailing the
116 circumstances under which the person was taken into custody,
117 which must be made a part of the patient's clinical record. Any
118 facility accepting the patient based on this report must send a
119 copy of the report to the department within 5 ~~the next~~ working
120 days ~~day~~.

121 3. A physician, clinical psychologist, psychiatric nurse,
122 mental health counselor, marriage and family therapist, or
123 clinical social worker may execute a certificate stating that he
124 or she has examined a person within the preceding 48 hours and
125 finds that the person appears to meet the criteria for

126 involuntary examination and stating the observations upon which
127 that conclusion is based. If other less restrictive means, such
128 as voluntary appearance for outpatient evaluation, are not
129 available, a law enforcement officer shall take into custody the
130 person named in the certificate and deliver him or her to the
131 appropriate, or nearest, facility within the designated
132 receiving system pursuant to s. 394.462 for involuntary
133 examination. The law enforcement officer shall execute a written
134 report detailing the circumstances under which the person was
135 taken into custody. The report and certificate shall be made a
136 part of the patient's clinical record. Any facility accepting
137 the patient based on this certificate must send a copy of the
138 certificate to the department within 5 ~~the next~~ working days
139 ~~day~~. The document may be submitted electronically through
140 existing data systems, if applicable.

141 (g) The examination period must be for up to 72 hours. For
142 a minor, the assessment by a service provider or examination
143 shall be initiated within 12 hours after the patient's arrival
144 at the facility. Within the examination period or, if the
145 examination period ends on a weekend or holiday, no later than
146 the next working day thereafter, one of the following actions
147 must be taken, based on the individual needs of the patient:

148 1. The patient shall be released, unless he or she is
149 charged with a crime, in which case the patient shall be
150 returned to the custody of a law enforcement officer;

151 2. The patient shall be released, subject to subparagraph
152 1., for voluntary outpatient treatment;

153 3. The patient, unless he or she is charged with a crime,
154 shall be asked to give express and informed consent to placement
155 as a voluntary patient and, if such consent is given, the
156 patient shall be admitted as a voluntary patient; or

157 4. A petition for involuntary services shall be filed in
158 the circuit court if inpatient treatment is deemed necessary or
159 with the criminal county court, as defined in s. 394.4655(1), as
160 applicable. When inpatient treatment is deemed necessary, the
161 least restrictive treatment consistent with the optimum
162 improvement of the patient's condition shall be made available.
163 When a petition is to be filed for involuntary outpatient
164 placement, it shall be filed by one of the petitioners specified
165 in s. 394.4655(4)(a). A petition for involuntary inpatient
166 placement shall be filed by the facility administrator.

167 Section 3. Paragraph (1) of subsection (3) of section
168 1002.20, Florida Statutes, is amended to read:

169 1002.20 K-12 student and parent rights.—Parents of public
170 school students must receive accurate and timely information
171 regarding their child's academic progress and must be informed
172 of ways they can help their child to succeed in school. K-12
173 students and their parents are afforded numerous statutory
174 rights including, but not limited to, the following:

175 (3) HEALTH ISSUES.—

176 (1) Notification of involuntary examinations.—

177 1. The public school principal or the principal's designee
178 shall immediately notify the parent of a student who is removed
179 from school, school transportation, or a school-sponsored
180 activity and taken to a receiving facility for an involuntary
181 examination pursuant to s. 394.463. In addition, the principal
182 or the principal's designee shall explain to the parent the
183 reason or situation that gave rise to such removal. The
184 principal or the principal's designee may delay notification for
185 no more than 24 hours after the student is removed if the
186 principal or designee deems the delay to be in the student's
187 best interest and if a report has been submitted to the central
188 abuse hotline, pursuant to s. 39.201, based upon knowledge or
189 suspicion of abuse, abandonment, or neglect.

190 2. Prior to removal of a student for an involuntary
191 examination, the principal or the principal's designee shall
192 notify the parent, if such notification will not cause a delay
193 that jeopardizes the student's or another individual's physical
194 or mental health or safety. However, the principal or the
195 principal's designee may omit notification prior to removal if
196 the principal or designee deems it to be in the student's best
197 interest and if a report has been submitted to the central abuse
198 hotline, pursuant to s. 39.201, based upon knowledge or
199 suspicion of abuse, abandonment, or neglect.

200 3. Each district school board shall develop a policy and

201 | procedures for notification under this paragraph.

202 | Section 4. Paragraph (q) of subsection (9) of section
203 | 1002.33, Florida Statutes, is amended to read:

204 | 1002.33 Charter schools.—

205 | (9) CHARTER SCHOOL REQUIREMENTS.—

206 | (q)1. The charter school principal or the principal's
207 | designee shall immediately notify the parent of a student who is
208 | removed from school, school transportation, or a school-
209 | sponsored activity and taken to a receiving facility for an
210 | involuntary examination pursuant to s. 394.463. In addition, the
211 | principal or the principal's designee shall explain to the
212 | parent the reason or situation that gave rise to such removal.

213 | The principal or the principal's designee may delay notification
214 | for no more than 24 hours after the student is removed if the
215 | principal or designee deems the delay to be in the student's
216 | best interest and if a report has been submitted to the central
217 | abuse hotline, pursuant to s. 39.201, based upon knowledge or
218 | suspicion of abuse, abandonment, or neglect.

219 | 2. Prior to removal of a student for an involuntary
220 | examination, the principal or the principal's designee shall
221 | notify the parent, if such notification will not cause a delay
222 | that jeopardizes the student's or another individual's physical
223 | or mental health or safety. However, the principal or the
224 | principal's designee may omit notification prior to removal if
225 | the principal or designee deems it to be in the student's best

226 interest and if a report has been submitted to the central abuse
 227 hotline, pursuant to s. 39.201, based upon knowledge or
 228 suspicion of abuse, abandonment, or neglect.

229 3. Each charter school governing board shall develop a
 230 policy and procedures for notification under this paragraph.

231 Section 5. Subsection (3) is added to section 1006.12,
 232 Florida Statutes, to read:

233 1006.12 School resource officers and school safety
 234 officers.—

235 (3) School resource officers and school safety officers
 236 shall be given priority for enrollment in any crisis
 237 intervention training, Mental Health First Aid training, or
 238 similar training offered by or through their employing agency to
 239 identify students or other individuals who may have a mental
 240 illness or substance use disorder or may be suffering from a
 241 behavioral health crisis and learn approaches and techniques for
 242 addressing such needs.

243 Section 6. Section 1012.583, Florida Statutes, is amended
 244 to read:

245 1012.583 Continuing education and inservice training for
 246 youth suicide awareness and prevention.—

247 (1) By July 1, 2019 ~~Beginning with the 2016-2017 school~~
 248 ~~year,~~ the Department of Education, in consultation with the
 249 Statewide Office for Suicide Prevention and suicide prevention
 250 experts, shall develop a list of approved youth suicide

251 awareness and prevention training materials and suicide
252 screening instruments that may be used for training in youth
253 suicide awareness, suicide ~~and prevention,~~ and suicide screening
254 for instructional personnel in elementary school, middle school,
255 and high school. The approved list of materials:

256 (a) Must identify available standardized suicide screening
257 instruments appropriate for use with a school-age population and
258 which have validity and reliability and include information
259 about obtaining instruction in the administration and use of
260 such instruments.

261 (b)-(a) Must include training on how to identify
262 appropriate mental health services and how to refer youth and
263 their families to those services.

264 (c)-(b) May include materials currently being used by a
265 school district if such materials meet any criteria established
266 by the department.

267 (d)-(e) May include programs that instructional personnel
268 can complete through a self-review of approved youth suicide
269 awareness and prevention materials.

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

273 (a) Incorporates 2 hours of training offered pursuant to
274 this section. The training must be included in the existing
275 continuing education or inservice training requirements for

276 instructional personnel and may not add to the total hours
277 currently required by the department. A school that chooses to
278 participate in the training must require all instructional
279 personnel to participate.

280 (b) Has at least two school-based staff members certified
281 or otherwise deemed competent in the use of a suicide screening
282 instrument pursuant to paragraph (1)(a), and has a policy to use
283 such suicide risk screening instrument to evaluate a student's
284 suicide risk before requesting the initiation of, or initiating,
285 an involuntary examination due to concerns about that student's
286 suicide risk.

287 (3) A school that meets the criteria in subsection (2)
288 ~~participates in the suicide awareness and prevention training~~
289 ~~pursuant to this section~~ must report its compliance
290 ~~participation~~ to the department. The department shall keep an
291 updated record of all Suicide Prevention Certified Schools and
292 shall post the list of these schools on the department's
293 website. Each school shall also post on its own website whether
294 it is a Suicide Prevention Certified School, and each school
295 district shall post on its district website a list of the
296 suicide prevention certified schools in that district.

297 (4) A person has no cause of action for any loss or damage
298 caused by an act or omission resulting from the implementation
299 of this section or resulting from any training required by this
300 section unless the loss or damage was caused by willful or

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301 | wanton misconduct. This section does not create any new duty of
302 | care or basis of liability.

303 | (5) The State Board of Education may adopt rules to
304 | implement this section.

305 | Section 7. This act shall take effect July 1, 2018.