

Committee on Children, Families, and Elder Affairs

CS/SB 1844 — Mental Health and Substance Abuse

by Children, Families, and Elder Affairs Committee and Senators Bean and Perry

The bill revises the voluntariness provision under the Baker Act to allow a minor's voluntary admission to a receiving facility or hospital after a clinical review of the minor's assent has been conducted, rather than a hearing on the minor's consent as required under current law.

The bill also requires that a clinical review be held to verify the voluntariness of a minor's assent before a minor patient's status is transferred from involuntary to voluntary status under the Baker Act.

The bill requires law enforcement officers transporting an individual to a receiving facility for an involuntary examination under the Baker and Marchman Acts to restrain the individual in the least restrictive manner available and appropriate under the circumstances.

The bill would have an indeterminate, positive fiscal impact on the State Courts System and no fiscal impact on local governments.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-0; House 117-0