

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5307 PCB HCA 10-05 Mental Health and Substance Abuse

SPONSOR(S): Health Care Appropriations Committee and Grimsley

TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Health Care Appropriations Committee	8 Y, 0 N	Massengale	Massengale
1)	Full Appropriations Council on Education & Economic Development	15 Y, 0 N	Massengale	Voyles
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

The bill makes statutory changes to conform to the funding decisions included in the House proposed General Appropriations Act for Fiscal Year 2010-2011. Specifically, the bill repeals section 394.655, Florida Statutes, eliminating the Substance Abuse and Mental Health Corporation and provides conforming changes to sections 14.20195, 394.656, 394.657, 394.658, and 394.659, Florida Statutes. The additional conforming changes include amending:

- Section 14.20195, Florida Statutes, to specify the Suicide Prevention Coordinating Council is reduced from 28 voting members to 27 voting members and reduces the number of members appointed by the director of the Office of Drug Control from fourteen members to thirteen members.
- Section 394.656, Florida Statutes, to require the Department of Children and Family Services to be responsible for establishing a Statewide Grant Review Committee, which is renamed the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee. The bill revises the current committee structure by deleting five current members or appointees by the Substance Abuse and Mental Health Corporation.
- Section 394.657, Florida Statutes, relating to the review of county planning councils or committees application's on their efforts to implement the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The bill specifies that the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee will be responsible for the review of such applications.
- Section 394.658, Florida Statutes, relating to the review of Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant applications. The bill specifies that the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee will participate along with certain state entities in the development of criteria and the review of grant applications.
- Section 394.659, Florida Statutes, relating to the submittal of an annual report by January 1 of each year on the activities associated with the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center.

The House proposed General Appropriations Act for Fiscal Year 2010-11 reduces recurring general revenue expenditures by \$245,457 as a result of eliminating the corporation.

The bill provides an effective date of July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 394.655, Florida Statutes, relates to the Substance Abuse and Mental Health Corporation, which is a non-profit corporation created by the Legislature to oversee the state's publicly funded substance abuse and mental health services. The Governor, President of the Senate and Speaker of the House appoint its 12 directors. The corporation is charged with making recommendations annually to the Governor and the Legislature on policies designed to improve coordination and effectiveness of the state's publicly funded mental health and substance abuse system.¹

Section 14.20195, Florida Statutes, relates to the Suicide Prevention Coordinating Council, which is a permanent entity comprising 28 statutorily designated voting members and other non-voting members that is held accountable to the Legislature for designing strategies to implement the Florida Suicide Prevention Strategy. In addition to members appointed by the Governor and specified state officials, the Suicide Prevention Coordinating Council is made up of representatives of the following organizations:

- The Substance Abuse and Mental Health Corporation described in section 394.655, Florida Statutes.
- The Florida Association of School Psychologists.
- The Florida Sheriffs Association.
- The Suicide Prevention Action Network USA.
- The Florida Initiative of Suicide Prevention.
- The Florida Suicide Prevention Coalition.
- The Alzheimer's Association.
- The Florida School Board Association.
- Volunteer Florida.
- The state chapter of AARP.
- The Florida Alcohol and Drug Abuse Association.
- The Florida Council for Community Mental Health.
- The Florida Counseling Association.
- NAMI Florida.

¹ www.samhcorp.org

The Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program is created within the Department of Children and Family (DCF) Services.² The purpose of the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program is to demonstrate that investment in diversion strategies and in treatment efforts related to mental illness, substance abuse disorders and co-occurring disorders will result in a reduced demand on the resources of the judicial, corrections, juvenile detention and health and social services systems. In keeping with this purpose, the Substance Abuse and Mental Health Corporation awarded nearly \$4 million dollars to 23 Florida counties.³ The Substance Abuse and Mental Health Corporation, Inc., created in section 394.655, Florida Statutes, is required to establish a statewide grant review committee. The committee shall include:

- Five current members or appointees of the corporation;
- One representative of the Department of Children and Family Services;
- One representative of the Department of Corrections;
- One representative of the Department of Juvenile Justice;
- One representative of the Department of Elderly Affairs; and
- One representative of the Office of the State Courts Administrator.

Effect of Proposed Change

The bill repeals section 394.655, Florida Statutes, which would eliminate the Substance Abuse and Mental Health Corporation. With the elimination of the Substance Abuse and Mental Health Corporation, the bill makes conforming changes in the following areas of statute(s):

- Section 14.20195, Florida Statutes, relating to the reduction in number of voting members and representation of certain organizations. The bill removes the Substance Abuse and Mental Health Corporation from the representation of the Suicide Prevention Coordinating Council. Thus, the Suicide Prevention Coordinating Council is reduced from 28 voting members to 27 voting members and the number of members appointed by the director of the Office of Drug Control is reduced from fourteen members to thirteen members.
- Section 394.656, Florida Statutes, relating to the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The bill requires DCF to be responsible for establishing a Statewide Grant Review Committee, which is renamed the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee. The bill revises the current committee structure by deleting five current members or appointees by the Substance Abuse and Mental Health Corporation.
- Section 394.657, Florida Statutes, relating to the review of county planning councils or committees application on their efforts to implement the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program. The bill specifies that the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee will be responsible for the review of such applications.
- Section 394.658, Florida Statutes, relating to the review of Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant applications. The bill specifies that the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee will participate along with certain state entities in the development of criteria and the review of grant applications.
- Section 394.659, Florida Statutes, relating to the submittal of an annual report by January 1 of each year on the activities associated with the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center.

B. SECTION DIRECTORY:

Section 1. Repeals s. 394.655, F.S., eliminating the Substance Abuse and Mental Health Corporation.

Section 2. Amends s. 14.20195, F.S., relating to Suicide Prevention Coordinating Council.

² s. 394.656, F.S.

³ CJMHSA Reinvestment Grant Program, Site Summary Report, July 8, 2009.

Section 3. Amends s. 394.656, F.S., relating to Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.

Section 4. Amends s. 394.657, F.S., relating to county planning councils or committees.

Section 5. Amends 394.658, F.S., relating to Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program requirements.

Section 6. Amends s. 394.659, F.S., relating to the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center.

Section 7. Provides the bill is effective July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Elimination of the Substance Abuse and Mental Health Corporation:

FY 2010-11

Department of Children & Families

General Revenue

(\$245,457)

Federal Trust Fund(s)

(\$ 58,220)

(\$303,677)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES