

1 A bill to be entitled

2 An act relating to the Baker Act; requiring the
3 Department of Children and Families to create a
4 workgroup to provide recommendations relating to
5 revision of the Baker Act; requiring the workgroup to
6 make recommendations on specified topics; providing
7 for membership of the workgroup; providing for
8 meetings; requiring the workgroup to meet by a
9 specified date; requiring a review of draft
10 recommendations by a specified date; requiring the
11 workgroup to submit a report to specified entities and
12 the Legislature by a specified date; providing an
13 effective date.

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

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17 Section 1. Workgroup to improve operational effectiveness
18 of the Baker Act.—The Department of Children and Families shall
19 create a workgroup to evaluate methods to improve the
20 operational effectiveness of the Baker Act and recommend changes
21 to existing laws, rules, and agency policies needed to implement
22 the workgroup's recommendations.

23 (1) At a minimum, the workgroup shall evaluate and make
24 recommendations on the following:

25 (a) The timeframe for initial assessment, including
26 whether the timeframe should be lengthened.

27 (b) The use of advanced registered nurse practitioners to
 28 rescind Baker Act commitments.

29 (c) The use of telemedicine for patient evaluation, case
 30 management, and ongoing care and the recommendation by the
 31 courts on the use of telemedicine to improve management of
 32 patient care and to reduce costs of transportation and public
 33 safety.

34 (d) The 7-day requirement for followup care and its
 35 applicability to outpatient providers.

36 (e) Other areas deemed by the workgroup to improve the
 37 operational effectiveness of the Baker Act.

38 (2) The workgroup shall consist of the following
 39 stakeholders:

40 (a) A representative of the Department of Children and
 41 Families who shall serve as chair, appointed by the Secretary of
 42 Children and Families.

43 (b) Two representatives of public-receiving facilities and
 44 two representatives of specialty hospitals, appointed by the
 45 Florida Hospital Association, Inc.

46 (c) Two representatives of crisis stabilization units,
 47 appointed by the Department of Children and Families.

48 (d) A representative of law enforcement agencies,
 49 appointed by the Florida Sheriffs Association.

50 (e) A member of the judiciary who regularly evaluates
 51 Baker Act cases, appointed by the Chief Justice of the Supreme
 52 Court.

53 (f) A public defender, appointed by the Florida Public
 54 Defender Association, Inc.

55 (g) A state attorney, appointed by the Florida Prosecuting
 56 Attorneys Association, Inc.

57 (h) A physician who provides care within a Baker Act
 58 receiving facility, appointed by the Florida Medical
 59 Association, Inc.

60 (i) A physician who regularly screens patients who meet
 61 Baker Act criteria, appointed by the Florida College of
 62 Emergency Physicians.

63 (j) A representative from a managing entity, appointed by
 64 the Secretary of Children and Families.

65 (k) A representative of the Agency for Health Care
 66 Administration, appointed by the Secretary of Health Care
 67 Administration.

68 (l) Two representatives of the Florida Council for
 69 Community Mental Health, Inc., appointed by the council.

70 (m) An advanced registered nurse practitioner who works in
 71 a Baker Act receiving facility and who treats patients who meet
 72 Baker Act criteria, appointed by the Florida Nurses Association.

73 (n) Two advanced registered nurse practitioners who are
 74 nationally certified in mental health, one appointed by the
 75 Florida Association of Nurse Practitioners, Inc., and one
 76 appointed by the Florida Nurse Practitioner Network, Inc.

77 (o) A psychologist licensed under chapter 490, Florida
 78 Statutes, appointed by the Florida Psychological Association,

79 Inc.

80 (p) A psychiatrist with experience in the Baker Act,
81 appointed by the Florida Psychiatric Society, a district branch
82 of the American Psychiatric Association, Inc.

83 (3) The workgroup shall meet in Tallahassee and shall
84 determine the frequency of its meetings. Individual workgroup
85 members are responsible for their travel expenses.

86 (4) Members of the workgroup shall be appointed by June 1,
87 2015, and the first meeting of the workgroup shall take place
88 before July 1, 2015. The workgroup shall review a draft of its
89 recommendations before September 1, 2015. By November 1, 2015,
90 the workgroup shall provide a final report to the Secretary of
91 Children and Families, the Secretary of Health Care
92 Administration, the President of the Senate, and the Speaker of
93 the House of Representatives. The report must include the
94 workgroup's findings and recommended statutory and
95 administrative rule changes.

96 Section 2. This act shall take effect upon becoming a law.