

By Senator Abruzzo

25-00320-15

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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.

14  
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 whether  
26 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

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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  
42 of 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.

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, appointed  
49 by the Florida Sheriffs Association.

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

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

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

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

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

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

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

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

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

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

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

78 (p) A psychiatrist with experience in the Baker Act,  
79 appointed by the Florida Psychiatric Society.

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

83 (4) Members of the workgroup shall be appointed by June 1,  
84 2015, and the first meeting of the workgroup must take place  
85 before July 1, 2015. The workgroup shall review a draft of its  
86 recommendations before September 1, 2015. By November 1, 2015,  
87 the workgroup shall provide a final report to the Secretary of

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88 Children and Families, the Secretary of Health Care  
89 Administration, the President of the Senate, and the Speaker of  
90 the House of Representatives. The report must include the  
91 workgroup's findings and recommended statutory and  
92 administrative rule changes.

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