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LEGISLATIVE ACTION

Senate

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House

Senator Abruzzo moved the following:

1 **Senate Amendment to Amendment (719962) (with title**
2 **amendment)**

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4 Between lines 4286 and 4287
5 insert:

6 Section 49. Workgroup to improve operational effectiveness
7 of the Baker Act.—The Department of Children and Families shall
8 create a workgroup to evaluate methods to improve the
9 operational effectiveness of the Baker Act and recommend changes
10 to existing laws, rules, and agency policies needed to implement
11 the workgroup's recommendations.



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- 12 (1) At a minimum, the workgroup shall evaluate and make
13 recommendations on the following:
- 14 (a) The timeframe for initial assessment, including whether
15 the timeframe should be lengthened.
- 16 (b) The use of advanced registered nurse practitioners to
17 rescind Baker Act commitments.
- 18 (c) The use of telemedicine for patient evaluation, case
19 management, and ongoing care and the recommendation by the
20 courts on the use of telemedicine to improve management of
21 patient care and to reduce costs of transportation and public
22 safety.
- 23 (d) The 7-day requirement for followup care and its
24 applicability to outpatient providers.
- 25 (e) Other areas deemed by the workgroup to improve the
26 operational effectiveness of the Baker Act.
- 27 (2) The workgroup shall consist of the following
28 stakeholders:
- 29 (a) A representative of the Department of Children and
30 Families, who shall serve as chair, appointed by the Secretary
31 of Children and Families.
- 32 (b) A representative of public receiving facilities and a
33 representative of specialty hospitals, each appointed by the
34 Florida Hospital Association.
- 35 (c) A representative of crisis stabilization units,
36 appointed by the Department of Children and Families.
- 37 (d) A representative from the National Alliance on Mental
38 Illness and a representative from the Florida Coalition Against
39 Domestic Violence.
- 40 (e) A representative of law enforcement agencies, appointed



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41 by the Florida Sheriffs Association.

42 (f) A member of the judiciary who regularly evaluates Baker
43 Act cases, appointed by the Chief Justice of the Supreme Court.

44 (g) A public defender, appointed by the Florida Public
45 Defender Association.

46 (h) A state attorney, appointed by the Florida Prosecuting
47 Attorneys Association.

48 (i) Two physicians who provide care within a Baker Act
49 receiving facility. The Florida Medical Association and the
50 Florida Osteopathic Medical Association shall each appoint one
51 physician.

52 (j) A physician who regularly screens patients who meet
53 Baker Act criteria, appointed by the Florida College of
54 Emergency Physicians, and a physician assistant appointed by the
55 Florida Academy of Physician Assistants.

56 (k) A representative from a managing entity, appointed by
57 the Secretary of Children and Families.

58 (l) A representative of the Agency for Health Care
59 Administration, appointed by the Secretary of Health Care
60 Administration.

61 (m) A representative of the Florida Council for Community
62 Mental Health, appointed by the council.

63 (n) An advanced registered nurse practitioner who works in
64 a Baker Act receiving facility and who treats patients who meet
65 Baker Act criteria, appointed by the Florida Nurses Association.

66 (o) An advanced registered nurse practitioner who is
67 nationally certified in mental health, appointed by the Florida
68 Association of Nurse Practitioners.

69 (p) A psychologist licensed under chapter 490, Florida



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70 Statutes, appointed by the Florida Psychological Association,
71 and a mental health counselor appointed by the Florida Mental
72 Health Counselors Association.

73 (q) A psychiatrist with experience in the Baker Act,
74 appointed by the Florida Psychiatric Society.

75 (r) A representative or designee of a Medicaid managed care
76 organization currently under contract with the Medicaid managed
77 medical assistance program established pursuant to part IV of
78 chapter 409, Florida Statutes, appointed by the Florida
79 Association of Health Plans.

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 August
84 1, 2015, and the first meeting of the workgroup must take place
85 before September 1, 2015. The workgroup shall review a draft of
86 its recommendations before November 1, 2015. By January 1, 2016,
87 the workgroup shall provide a final report to the Secretary of
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 (5) At the discretion of the chair of the workgroup, the
94 workgroup is authorized to request other stakeholders and
95 organizations involved in mental health issues and the Baker Act
96 to participate in meetings of the workgroup in order to offer
97 subject matter expertise to assist the workgroup in its review
98 of the Baker Act.



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100 ===== T I T L E A M E N D M E N T =====

101 And the title is amended as follows:

102 Delete line 5202

103 and insert:

104 procedures; requiring the Department of Children and
105 Families to create a workgroup to provide
106 recommendations relating to revision of the Baker Act;
107 requiring the workgroup to make recommendations on
108 specified topics; providing for membership of the
109 workgroup; providing for meetings; requiring the
110 workgroup to meet by a specified date; requiring a
111 review of draft recommendations by a specified date;
112 requiring the workgroup to submit a report to
113 specified entities and the Legislature by a specified
114 date; authorizing the workgroup to request specified
115 stakeholders and organizations to participate in
116 workgroup meetings; amending ss. 39.407, 394.4612,
117 394.495,