



281962

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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04/28/2015 10:58 AM

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Senator Abruzzo moved the following:

**Senate Amendment (with title amendment)**

Before line 50

insert:

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

(1) At a minimum, the workgroup shall evaluate and make



281962

12 recommendations on the following:

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

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

17 (c) The use of telemedicine for patient evaluation, case  
18 management, and ongoing care and the recommendation by the  
19 courts on the use of telemedicine to improve management of  
20 patient care and to reduce costs of transportation and public  
21 safety.

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

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

26 (2) The workgroup shall consist of the following  
27 stakeholders:

28 (a) A representative of the Department of Children and  
29 Families, who shall serve as chair, appointed by the Secretary  
30 of Children and Families.

31 (b) Two representatives of public receiving facilities and  
32 two representatives of specialty hospitals, appointed by the  
33 Florida Hospital Association.

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

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

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

40 (f) A public defender, appointed by the Florida Public



281962

41 Defender Association.

42 (g) A state attorney, appointed by the Florida Prosecuting  
43 Attorneys Association.

44 (h) A physician who provides care within a Baker Act  
45 receiving facility, appointed by the Florida Medical  
46 Association.

47 (i) A physician who regularly screens patients who meet  
48 Baker Act criteria, appointed by the Florida College of  
49 Emergency Physicians.

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

52 (k) A representative of the Agency for Health Care  
53 Administration, appointed by the Secretary of Health Care  
54 Administration.

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

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

60 (n) Two advanced registered nurse practitioners who are  
61 nationally certified in mental health, one appointed by the  
62 Florida Association of Nurse Practitioners, and one appointed by  
63 the Florida Nurse Practitioner Network.

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

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

68 (3) The workgroup shall meet in Tallahassee and shall  
69 determine the frequency of its meetings. Individual workgroup



281962

70 members are responsible for their travel expenses.

71 (4) Members of the workgroup shall be appointed by August  
72 1, 2015, and the first meeting of the workgroup must take place  
73 before September 1, 2015. The workgroup shall review a draft of  
74 its recommendations before November 1, 2015. By January 1, 2016,  
75 the workgroup shall provide a final report to the Secretary of  
76 Children and Families, the Secretary of Health Care  
77 Administration, the President of the Senate, and the Speaker of  
78 the House of Representatives. The report must include the  
79 workgroup's findings and recommended statutory and  
80 administrative rule changes.

81 (5) At the discretion of the chair of the workgroup, the  
82 workgroup is authorized to request other stakeholders and  
83 organizations involved in mental health issues and the Baker Act  
84 to participate in meetings of the workgroup in order to offer  
85 subject matter expertise to assist the workgroup in its review  
86 of the Baker Act.

87  
88 ===== T I T L E A M E N D M E N T =====

89 And the title is amended as follows:

90 Delete lines 2 - 3

91 and insert:

92 An act relating to mental health services; requiring  
93 the Department of Children and Families to create a  
94 workgroup to provide recommendations relating to  
95 revision of the Baker Act; requiring the workgroup to  
96 make recommendations on specified topics; providing  
97 for membership of the workgroup; providing for  
98 meetings; requiring the workgroup to meet by a



281962

99 specified date; requiring a review of draft  
100 recommendations by a specified date; requiring the  
101 workgroup to submit a report to specified entities and  
102 the Legislature by a specified date; authorizing the  
103 workgroup to request specified stakeholders and  
104 organizations to participate in workgroup meetings;  
105 amending s. 394.47891, F.S.;