



26 | less restrictive means are not available, such as voluntary  
 27 | appearance for outpatient evaluation, a law enforcement officer,  
 28 | or other designated agent of the court, shall take the person  
 29 | into custody and deliver him or her to an appropriate, or the  
 30 | nearest, facility within the designated receiving system  
 31 | pursuant to s. 394.462 for involuntary examination. The order of  
 32 | the court shall be made a part of the patient's clinical record.  
 33 | A fee may not be charged for the filing of an order under this  
 34 | subsection. A facility accepting the patient based on this order  
 35 | must send a copy of the order to the department within 5 working  
 36 | days. The order may be submitted electronically through existing  
 37 | data systems, if available. The order shall be valid only until  
 38 | the person is delivered to the facility or for the period  
 39 | specified in the order itself, whichever comes first. If a time  
 40 | limit is not specified in the order, the order is valid for 7  
 41 | days after the date that the order was signed.

42 |         2. A law enforcement officer shall take a person who  
 43 | appears to meet the criteria for involuntary examination into  
 44 | custody and deliver the person or have him or her delivered to  
 45 | an appropriate, or the nearest, facility within the designated  
 46 | receiving system pursuant to s. 394.462 for examination. A law  
 47 | enforcement officer transporting a person pursuant to this  
 48 | subparagraph shall restrain the person in the least restrictive  
 49 | manner available and appropriate under the circumstances. If  
 50 | transporting a minor and the parent or legal guardian of the

51 minor is present, before departing, the law enforcement officer  
 52 shall provide the parent or legal guardian of the minor with the  
 53 name, address, and contact information for the facility within  
 54 the designated receiving system to which the law enforcement  
 55 officer is transporting the minor, subject to any safety and  
 56 welfare concerns for the minor. The officer shall execute a  
 57 written report detailing the circumstances under which the  
 58 person was taken into custody, which must be made a part of the  
 59 patient's clinical record. The report must include all emergency  
 60 contact information for the person that is readily accessible to  
 61 the law enforcement officer, including information available  
 62 through electronic databases maintained by the Department of Law  
 63 Enforcement or by the Department of Highway Safety and Motor  
 64 Vehicles. Such emergency contact information may be used by a  
 65 receiving facility only for the purpose of informing listed  
 66 emergency contacts of a patient's whereabouts pursuant to s.  
 67 119.0712(2)(d). Any facility accepting the patient based on this  
 68 report must send a copy of the report to the department within 5  
 69 working days.

70 3. A physician, a physician assistant, a clinical  
 71 psychologist, a psychiatric nurse, an advanced practice  
 72 registered nurse registered under s. 464.0123, a mental health  
 73 counselor, a marriage and family therapist, or a clinical social  
 74 worker may execute a certificate stating that he or she has  
 75 examined a person within the preceding 48 hours and finds that

76 | the person appears to meet the criteria for involuntary  
 77 | examination and stating the observations upon which that  
 78 | conclusion is based. If other less restrictive means, such as  
 79 | voluntary appearance for outpatient evaluation, are not  
 80 | available, a law enforcement officer shall take into custody the  
 81 | person named in the certificate and deliver him or her to the  
 82 | appropriate, or nearest, facility within the designated  
 83 | receiving system pursuant to s. 394.462 for involuntary  
 84 | examination. The law enforcement officer shall execute a written  
 85 | report detailing the circumstances under which the person was  
 86 | taken into custody. The report must include all emergency  
 87 | contact information for the person that is readily accessible to  
 88 | the law enforcement officer, including information available  
 89 | through electronic databases maintained by the Department of Law  
 90 | Enforcement or by the Department of Highway Safety and Motor  
 91 | Vehicles. Such emergency contact information may be used by a  
 92 | receiving facility only for the purpose of informing listed  
 93 | emergency contacts of a patient's whereabouts pursuant to s.  
 94 | 119.0712(2)(d). The report and certificate shall be made a part  
 95 | of the patient's clinical record. Any facility accepting the  
 96 | patient based on this certificate must send a copy of the  
 97 | certificate to the department within 5 working days. The  
 98 | document may be submitted electronically through existing data  
 99 | systems, if applicable.

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101 When sending the order, report, or certificate to the  
 102 department, a facility shall, at a minimum, provide information  
 103 about which action was taken regarding the patient under  
 104 paragraph (g), which information shall also be made a part of  
 105 the patient's clinical record.

107 Section 2. Section 394.4915, Florida Statutes, is created  
 108 to read:

109 394.4915 Office of Children's Behavioral Health  
 110 Ombudsman.— The Office of Children's Behavioral Health Ombudsman  
 111 is established within the department for the purpose of being a  
 112 central point to receive complaints on behalf of children and  
 113 adolescents with behavioral health disorders receiving state-  
 114 funded services and use this information to improve the child  
 115 and adolescent mental health treatment and support system. The  
 116 department and managing entities shall include information about  
 117 and contact information for the office placed prominently on  
 118 their websites on easily accessible webpages related to children  
 119 and adolescent behavioral health services. To the extent  
 120 permitted by available resources, the office shall, at a  
 121 minimum:

122 (1) Receive and direct to the appropriate contact within  
 123 the department, at the Agency for Health Care Administration, or  
 124 the appropriate organizations providing behavioral health

125 services complaints from children and adolescents and their  
 126 families about the mental health treatment and support system.

127 (2) Maintain records of complaints received and the  
 128 actions taken.

129 (3) Be a resource to identify and explain relevant polices  
 130 or procedures to children, adolescents and their families about  
 131 the child and adolescent mental health treatment and support  
 132 system.

133 (4) Provide recommendations to the department to address  
 134 systemic problems within the mental health treatment and support  
 135 system that are leading to complaints. The department shall  
 136 include an analysis of complaints and these recommendations in  
 137 the report required under s. 394.4573.

138 (5) Engage in functions that may improve the child and  
 139 adolescent mental health treatment and support system.

140 Section 3. This act shall take effect July 1, 2024.