

1                                   A bill to be entitled  
 2           An act relating to mental health early intervention;  
 3           providing a short title; amending s. 394.463, F.S.;  
 4           authorizing physician assistants and advanced  
 5           registered nurse practitioners to initiate involuntary  
 6           examinations under the Baker Act of persons believed  
 7           to have mental illness; creating s. 394.47892, F.S.;  
 8           providing legislative findings; requiring the  
 9           Department of Children and Families, in consultation  
 10          with specified entities, to adopt standards for the  
 11          training of first responders in mental health;  
 12          providing requirements for such training; 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. This act may be cited as the "Florida Mental  
 18 Health Early Intervention Act of 2015."

19           Section 2. Paragraph (a) of subsection (2) of section  
 20 394.463, Florida Statutes, is amended to read:

21           394.463 Involuntary examination.—

22           (2) INVOLUNTARY EXAMINATION.—

23           (a) An involuntary examination may be initiated by any one  
 24 of the following means:

25           1. A court may enter an ex parte order stating that a  
 26 person appears to meet the criteria for involuntary examination,

27 giving the findings on which that conclusion is based. The ex  
28 parte order for involuntary examination must be based on sworn  
29 testimony, written or oral. If other less restrictive means are  
30 not available, such as voluntary appearance for outpatient  
31 evaluation, a law enforcement officer, or other designated agent  
32 of the court, shall take the person into custody and deliver him  
33 or her to the nearest receiving facility for involuntary  
34 examination. The order of the court shall be made a part of the  
35 patient's clinical record. No fee shall be charged for the  
36 filing of an order under this subsection. Any receiving facility  
37 accepting the patient based on this order must send a copy of  
38 the order to the Agency for Health Care Administration on the  
39 next working day. The order shall be valid only until executed  
40 or, if not executed, for the period specified in the order  
41 itself. If no time limit is specified in the order, the order  
42 shall be valid for 7 days after the date that the order was  
43 signed.

44 2. A law enforcement officer shall take a person who  
45 appears to meet the criteria for involuntary examination into  
46 custody and deliver the person or have him or her delivered to  
47 the nearest receiving facility for examination. The officer  
48 shall execute a written report detailing the circumstances under  
49 which the person was taken into custody, and the report shall be  
50 made a part of the patient's clinical record. Any receiving  
51 facility accepting the patient based on this report must send a  
52 copy of the report to the Agency for Health Care Administration

53 on the next working day.

54 3. A physician, physician assistant, clinical  
55 psychologist, psychiatric nurse, mental health counselor,  
56 marriage and family therapist, ~~or~~ clinical social worker, or  
57 advanced registered nurse practitioner may execute a certificate  
58 stating that he or she has examined a person within the  
59 preceding 48 hours and finds that the person appears to meet the  
60 criteria for involuntary examination and stating the  
61 observations upon which that conclusion is based. If other less  
62 restrictive means are not available, such as voluntary  
63 appearance for outpatient evaluation, a law enforcement officer  
64 shall take the person named in the certificate into custody and  
65 deliver him or her to the nearest receiving facility for  
66 involuntary examination. The law enforcement officer shall  
67 execute a written report detailing the circumstances under which  
68 the person was taken into custody. The report and certificate  
69 shall be made a part of the patient's clinical record. Any  
70 receiving facility accepting the patient based on this  
71 certificate must send a copy of the certificate to the Agency  
72 for Health Care Administration on the next working day.

73 Section 3. Section 394.47892, Florida Statutes, is created  
74 to read:

75 394.47892 First responder training in mental health.—

76 (1) The Legislature finds that an emergency medical  
77 technician, a paramedic, a firefighter, or a law enforcement  
78 officer is likely to be the first responder to a request for

79 assistance involving a person with a mental illness. The  
80 Legislature further finds that these first responders should be  
81 trained in appropriate responses to a person with a mental  
82 illness.

83 (2) The basic training programs required for certification  
84 as an emergency medical technician, a paramedic, a firefighter,  
85 or a law enforcement officer as defined in s. 943.10, other than  
86 a correctional officer or a correctional probation officer, must  
87 include a curriculum that contains instruction to help identify  
88 and understand the signs of mental illness and provide the first  
89 responder with skills to appropriately help a person who is  
90 developing or experiencing a mental health problem.

91 (3) The department, in consultation with the Emergency  
92 Medical Services Advisory Council; the Firefighters Employment,  
93 Standards, and Training Council; and the Criminal Justice  
94 Standards and Training Commission, shall adopt and modify as  
95 necessary, by rule, curriculum standards for first responder  
96 training that meet the requirements of subsection (2).

97 Section 4. This act shall take effect July 1, 2015.