

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

45 | 2. A law enforcement officer shall take a person who
46 | appears to meet the criteria for involuntary examination into
47 | custody and deliver the person or have him or her delivered to
48 | an appropriate, or the nearest, facility within the designated
49 | receiving system pursuant to s. 394.462 for examination. A law
50 | enforcement officer transporting a person pursuant to this

51 | subparagraph shall restrain the person in the least restrictive
52 | manner available and appropriate under the circumstances. If
53 | transporting a minor and the parent or legal guardian of the
54 | minor is present, before departing, the law enforcement officer
55 | shall provide the parent or legal guardian of the minor with the
56 | name, address, and contact information for the facility within
57 | the designated receiving system to which the law enforcement
58 | officer is transporting the minor, subject to any safety and
59 | welfare concerns for the minor. The officer shall execute a
60 | written report detailing the circumstances under which the
61 | person was taken into custody, which must be made a part of the
62 | patient's clinical record. The report must include all emergency
63 | contact information for the person that is readily accessible to
64 | the law enforcement officer, including information available
65 | through electronic databases maintained by the Department of Law
66 | Enforcement or by the Department of Highway Safety and Motor
67 | Vehicles. Such emergency contact information may be used by a
68 | receiving facility only for the purpose of informing listed
69 | emergency contacts of a patient's whereabouts pursuant to s.
70 | 119.0712(2)(d). Any facility accepting the patient based on this
71 | report must send a copy of the report to the department within 5
72 | working days.

73 | 3. A physician, a physician assistant, a clinical
74 | psychologist, a psychiatric nurse, an advanced practice
75 | registered nurse registered under s. 464.0123, a mental health

76 | counselor, a marriage and family therapist, or a clinical social
77 | worker may execute a certificate stating that he or she has
78 | examined a person within the preceding 48 hours and finds that
79 | the person appears to meet the criteria for involuntary
80 | examination and stating the observations upon which that
81 | conclusion is based. If other less restrictive means, such as
82 | voluntary appearance for outpatient evaluation, are not
83 | available, a law enforcement officer shall take into custody the
84 | person named in the certificate and deliver him or her to the
85 | appropriate, or nearest, facility within the designated
86 | receiving system pursuant to s. 394.462 for involuntary
87 | examination. The law enforcement officer shall execute a written
88 | report detailing the circumstances under which the person was
89 | taken into custody. The report must include all emergency
90 | contact information for the person that is readily accessible to
91 | the law enforcement officer, including information available
92 | through electronic databases maintained by the Department of Law
93 | Enforcement or by the Department of Highway Safety and Motor
94 | Vehicles. Such emergency contact information may be used by a
95 | receiving facility only for the purpose of informing listed
96 | emergency contacts of a patient's whereabouts pursuant to s.
97 | 119.0712(2)(d). The report and certificate shall be made a part
98 | of the patient's clinical record. Any facility accepting the
99 | patient based on this certificate must send a copy of the
100 | certificate to the department within 5 working days. The

101 document may be submitted electronically through existing data
 102 systems, if applicable.

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

109 Section 2. Section 394.4915, Florida Statutes, is created
 110 to read:

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

124 (1) Receive and direct to the appropriate contact within
 125 the department, the Agency for Health Care Administration, or

126 the appropriate organizations providing behavioral health
127 services complaints from children and adolescents and their
128 families about the child and adolescent mental health treatment
129 and support system.

130 (2) Maintain records of complaints received and the
131 actions taken.

132 (3) Be a resource to identify and explain relevant
133 policies or procedures to children, adolescents, and their
134 families about the child and adolescent mental health treatment
135 and support system.

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

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

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