

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 139 Suicide Prevention  
**SPONSOR(S):** Healthcare Council, Gibson and others  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 224

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Health Quality</u>	<u>10 Y, 0 N</u>	<u>Guy</u>	<u>Lowell</u>
2) <u>Healthcare Council</u>	<u>15 Y, 0 N, As CS</u>	<u>Guy</u>	<u>Gormley</u>
3) <u>Policy &amp; Budget Council</u>	<u></u>	<u>Leznoff</u>	<u>Hansen</u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

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### SUMMARY ANALYSIS

The bill creates the Statewide Office for Suicide Prevention in the Office of Drug Control within the Executive Office of the Governor. The bill requires the director of the Office of Drug Control to employ a coordinator for the Statewide Office of Suicide Prevention. The Statewide Office for Suicide Prevention is required to draft and implement a statewide plan for suicide prevention to coordinate and direct numerous suicide prevention initiatives.

The bill also creates a 28-member Suicide Prevention Coordinating Council within the Statewide Office of Suicide Prevention. Council membership consists of representatives from private sector organizations, agency secretaries and executive directors, and Governor's appointees.

The bill appropriates \$150,000 from the General Revenue Fund and authorizes two positions, one of which is a coordinator for the office to implement the provisions of the bill for Fiscal Year 2007-2008.

The effective date of this bill is July 1, 2007.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Limited Government**—The bill creates the Statewide Office for Suicide Prevention in the Office of Drug Control within the Executive Office of the Governor, creates a 28-member Suicide Prevention Coordinating Council, and authorizes two positions to implement the provisions of the bill.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

In Florida, the tenth leading cause of death for the overall population is suicide, with 2,308 suicides in the state during 2005. Suicide is the third leading cause of death for 15-24 year olds, the second leading cause of death for 25-34 year olds, and the fifth leading cause of death for 35-44 year olds.<sup>1</sup> Florida is ranked 15<sup>th</sup> nationally for the number of suicides.<sup>2</sup>

In January 2005, the Office of Drug Control released a guidance document entitled, *Florida Suicide Prevention Strategy 2005-2010*. Among other things, the Strategy advocates for the adoption of a strategic, long-term approach to suicide prevention, which includes the formation of a statewide office for suicide prevention.

Currently, the Office of Drug Control has one staff member who acts as a suicide prevention coordinator. The coordinator distributes the Florida Suicide Prevention Strategy and assists in the implementation of goals and objectives stated within the document by facilitating communication among the numerous public and private entities whose mission is suicide prevention. This position is currently funded through grants to the Office of Drug Control.

Chapter 14, Florida Statutes, describes the organizational structure of the Executive Office of the Governor (EOG). Section 397.332, Florida Statutes, creates the Office of Drug Control inside the EOG. Chapter 20, Florida Statutes, defines several types of advisory bodies:

Name	Duration	Additional Comment
"Council" or "Advisory Council"	"[On] a continuing basis..."	Created by specific statutory enactment and intended to focus on a specific function or program area. Provides recommendations and policy alternatives.
"Committee" or "Task Force"	1 year (without specific statutory enactment); 3 years (with specific statutory enactment)	Appointed to study a particular problem and recommend a solution. Existence terminates upon completion of assignment.
"Coordinating Council"	Not explicitly stated.	An interdepartmental advisory body – one department has primary responsibility but other agencies have an interest.
"Commission"	Not explicitly stated.	Exercises quasi-legislative or quasi-judicial power, and its members must generally be confirmed by the Legislature.

Pursuant to section 20.052, Florida Statutes, the creation of any new advisory body requires the following findings or requirements:

- It must be necessary and beneficial to the furtherance of a public purpose.

<sup>1</sup> Florida Vital Statistics Annual Report 2005.

<sup>2</sup> Suicide Data Page 2004, Report to the American Association of Suicidology.

- It must be terminated by the Legislature when it is no longer necessary and beneficial to the furtherance of a public purpose.
- The Legislature and the public must be kept informed of its activities and expenses.
- It meets a statutorily defined purpose.
- Its powers and responsibilities conform to the definitions for governmental units in section 20.03, Florida Statutes (outlined in the table above).
- Its members, unless expressly provided otherwise in the State Constitution, are appointed for 4-year staggered terms.
- Its members, unless expressly provided otherwise by specific statutory enactment, serve without additional compensation or honorarium, and are authorized to receive only per diem and reimbursement for travel expenses as provided in section 112.061, Florida Statutes.

In addition, the agency head or the governor appoints private citizen members of a committee or council. Private citizen members of a commission or board of trustees are appointed by the governor and confirmed by the Legislature, and are subject to the dual-office-holding prohibition of section 5(a), Article II of the State Constitution. All meetings of any entity are public, and minutes must be kept. Public records are maintained by the agency under which the entity is created.

### Effect of Proposed Changes

The bill creates the Statewide Office for Suicide Prevention ("office") in the Office of Drug Control and specifies duties for the office including:

- Developing a network of community-based programs to improve suicide prevention initiatives.
- Preparing and implementing a statewide plan for suicide prevention.
- Increasing public awareness concerning topics relating to suicide prevention.
- Coordinating education and training curricula in suicide prevention efforts for professionals who may have contact with persons at risk of committing suicide.
- Soliciting grants from federal, state, and local sources to fund operations and expenses of the office and the Suicide Prevention Coordinating Council.

The bill requires the office to employ a coordinator whose responsibility it is to achieve the office's goals and objectives as set forth in the bill. The bill also creates a Suicide Prevention Coordinating Council ("council") of 28 members within the office. The council is required to advise the office on the development of a statewide plan for suicide prevention. Further, the council is required to prepare and submit an annual report to the Legislature and the governor regarding suicide prevention programs, activities, and future initiatives.

Council membership is specified within the bill and includes: Office of Drug Control director appointees, who are from the private sector; state agency secretaries and executive directors; and appointees by the governor. The bill specifies terms of office, a meeting schedule, and authorizes per diem and travel reimbursement for council members as authorized by section 112.061, Florida Statutes.

### C. SECTION DIRECTORY:

Section 1: Creates s. 14.2019, F.S., creating the Statewide Office for Suicide Prevention.

Section 2: Creates s. 14.20195, F.S., creating the Suicide Prevention Coordinating Council.

Section 3: Provides an appropriation.

Section 4: Provides for an effective date of July 1, 2007.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill authorizes the office to seek grants and other methods of funding from federal, state and local sources. The bill requires that grant revenues received by the office be deposited in the Grants and Donations Trust Fund within the Executive Office of the Governor.

2. Expenditures:

The bill appropriates \$150,000 from the General Revenue Fund and authorizes two positions, one of which is a coordinator for the office to implement the provisions of the bill for Fiscal Year 2007-2008.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No additional rule-making authority is required as a result of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

No statement submitted.

### IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 20, 2007, the Healthcare Council adopted one amendment to the bill. The amendment clarifies that the Statewide Office for Suicide Prevention is responsible for drafting and implementation of a statewide plan for suicide prevention. The amendment requires that grant revenues received by the Statewide Office for Suicide Prevention be deposited in the Grants and Donations Trust Fund within the Executive Office of the Governor.

The bill was reported favorably with a Council Substitute.