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1 A bill to be entitled
 2 An act relating to behavioral health of minors;
 3 amending s. 394.463, F.S.; revising deadlines for
 4 submission of documentation regarding involuntary
 5 examinations; amending s. 1006.12, F.S.; establishing
 6 priority for receipt of training by school resource
 7 officers and school safety officers; amending s.
 8 1012.583, F.S.; revising responsibilities of the
 9 Department of Education and the Statewide Office for
 10 Suicide Prevention; changing criteria for Certified
 11 Suicide Prevention Schools; providing an effective
 12 date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraph (a) of subsection (2) of section
 17 394.463, Florida Statutes, is amended to read:

18 394.463 Involuntary examination.—

19 (2) INVOLUNTARY EXAMINATION.—

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

22 1. A circuit or county court may enter an ex parte order
 23 stating that a person appears to meet the criteria for
 24 involuntary examination and specifying the findings on which
 25 that conclusion is based. The ex parte order for involuntary

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26 examination must be based on written or oral sworn testimony
 27 that includes specific facts that support the findings. If other
 28 less restrictive means are not available, such as voluntary
 29 appearance for outpatient evaluation, a law enforcement officer,
 30 or other designated agent of the court, shall take the person
 31 into custody and deliver him or her to an appropriate, or the
 32 nearest, facility within the designated receiving system
 33 pursuant to s. 394.462 for involuntary examination. The order of
 34 the court shall be made a part of the patient's clinical record.
 35 A fee may not be charged for the filing of an order under this
 36 subsection. A facility accepting the patient based on this order
 37 must send a copy of the order to the department within five ~~the~~
 38 ~~next~~ working days ~~day~~. The order may be submitted electronically
 39 through existing data systems, if available. The order shall be
 40 valid only until the person is delivered to the facility or for
 41 the period specified in the order itself, whichever comes first.
 42 If no time limit is specified in the order, the order shall be
 43 valid for 7 days after the date that the order was 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 an appropriate, or the nearest, facility within the designated
 48 receiving system pursuant to s. 394.462 for examination. The
 49 officer shall execute a written report detailing the
 50 circumstances under which the person was taken into custody,

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51 | which must be made a part of the patient's clinical record. Any
 52 | facility accepting the patient based on this report must send a
 53 | copy of the report to the department within five ~~the next~~
 54 | working days ~~day~~.

55 | 3. A physician, clinical psychologist, psychiatric nurse,
 56 | mental health counselor, marriage and family therapist, or
 57 | clinical social worker may execute a certificate stating that he
 58 | or she has examined a person within the preceding 48 hours and
 59 | finds that the person appears to meet the criteria for
 60 | involuntary examination and stating the observations upon which
 61 | that conclusion is based. If other less restrictive means, such
 62 | as voluntary appearance for outpatient evaluation, are not
 63 | available, a law enforcement officer shall take into custody the
 64 | person named in the certificate and deliver him or her to the
 65 | appropriate, or nearest, facility within the designated
 66 | receiving system pursuant to s. 394.462 for involuntary
 67 | examination. The law enforcement officer shall execute a written
 68 | report detailing the circumstances under which the person was
 69 | taken into custody. The report and certificate shall be made a
 70 | part of the patient's clinical record. Any facility accepting
 71 | the patient based on this certificate must send a copy of the
 72 | certificate to the department within ~~the next~~ five working days
 73 | ~~day~~. The document may be submitted electronically through
 74 | existing data systems, if applicable.

75 | Section 2. Subsection (3) is added to section 1006.12,

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76 Florida Statutes, to read:

77 1006.12 School resource officers and school safety
78 officers.—

79 (3) School resource officers and school safety officers
80 shall be given priority for enrollment in any crisis
81 intervention training, Mental Health First Aid training, or
82 similar training offered by or through their employing agency
83 for identifying students or other individuals who may have a
84 mental illness or substance use disorder or be in a behavioral
85 health crisis and learning approaches and techniques for
86 addressing their needs.

87 Section 3. Section 1012.583, Florida Statutes, is amended
88 to read:

89 1012.583 Continuing education and inservice training for
90 youth suicide awareness and prevention.—

91 (1) By July 1, 2019, ~~Beginning with the 2016-2017 school~~
92 ~~year,~~ The Department of Education, in consultation with the
93 Statewide Office for Suicide Prevention and suicide prevention
94 experts, shall develop a list of approved youth suicide
95 awareness and prevention training materials and suicide
96 screening instruments that may be used for training in youth
97 suicide awareness, and prevention, and suicide screening for
98 instructional personnel in elementary school, middle school, and
99 high school. The approved list of materials:

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100 (a) Must identify available standardized suicide screening
 101 instruments appropriate for use with a school-age population and
 102 having acceptable validity and reliability, and include
 103 information about obtaining instruction in their administration
 104 and use.

105 (b) ~~(a)~~ Must include training on how to identify
 106 appropriate mental health services and how to refer youth and
 107 their families to those services.

108 (c) ~~(b)~~ May include materials currently being used by a
 109 school district if such materials meet any criteria established
 110 by the department.

111 (d) ~~(e)~~ May include programs that instructional personnel
 112 can complete through a self-review of approved youth suicide
 113 awareness and prevention materials.

114 (2) A school ~~that chooses to incorporate 2 hours of~~
 115 ~~training offered pursuant to this section~~ shall be considered a
 116 "Suicide Prevention Certified School-" if it:

117 (a) Incorporates 2 hours of training offered pursuant to
 118 this section. The training must be included in the existing
 119 continuing education or inservice training requirements for
 120 instructional personnel and may not add to the total hours
 121 currently required by the department. A school that chooses to
 122 participate in the training must require all instructional
 123 personnel to participate.

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124 (b) Has at least two school-based staff members certified
 125 or otherwise deemed competent in the use of a suicide screening
 126 instrument pursuant to paragraph (1)(a), and has a policy to use
 127 this suicide risk screening instrument to evaluate a student's
 128 suicide risk prior to requesting the initiation of, or
 129 initiating, an involuntary examination due to concerns about
 130 that student's suicide risk.

131 (3) A school that meets the criteria in subsection (2)
 132 ~~participates in the suicide awareness and prevention training~~
 133 ~~pursuant to this section~~ must report its compliance
 134 ~~participation~~ to the department. The department shall keep an
 135 updated record of all Suicide Prevention Certified Schools and
 136 shall post the list of these schools on the department's
 137 website. Each school shall also post on its own website whether
 138 it is a suicide prevention certified school, and each school
 139 district shall post on its district website a list of the
 140 suicide prevention certified schools in that district.

141 (4) A person has no cause of action for any loss or damage
 142 caused by an act or omission resulting from the implementation
 143 of this section or resulting from any training required by this
 144 section unless the loss or damage was caused by willful or
 145 wanton misconduct. This section does not create any new duty of
 146 care or basis of liability.

147 (5) The State Board of Education may adopt rules to
 148 implement this section.

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Section 4. This act shall take effect July 1, 2018.