

Council Substitute for House Bill No. 751

An act relating to community mental health services; requiring that the Department of Children and Family Services use certain funds to expand the provision of crisis services and community mental health services; requiring the Department of Children and Family Services in collaboration with the Agency for Health Care Administration to develop estimates of the need for mental health services; requiring estimates to be submitted annually to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that new funds for crisis services or community mental health services be appropriated in a lump-sum category; requiring a spending plan to be submitted to the Governor; requiring that the spending plan include a schedule for phasing in new community mental health services; requiring the department to submit reports concerning its progress toward expanding community mental health services; requiring that certain crisis services and mental health services be provided by the state's community mental health system by specified dates to the extent of available appropriations; providing an effective date.

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

Section 1. (1) Pursuant to the General Appropriations Acts for the 2001-2002 and 2002-2003 fiscal years, funds appropriated to the Department of Children and Family Services for the purpose of expanding community mental health services must be used to implement programs that emphasize crisis services as defined in s. 394.67(4), Florida Statutes, and treatment services, rehabilitative services, support services, and case management services, as defined in s. 394.67(16), Florida Statutes. Following the 2002-2003 fiscal year, the Department of Children and Family Services must continue to expand the provision of these community mental health services.

(2) In order to estimate the cost of the expansion of community mental health services, the Department of Children and Family Services in collaboration with the Agency for Health Care Administration shall develop, and update annually, estimates of the need for mental health services, including forecasts of Baker Act expenditures, based on periodic actuarial analysis, caseload estimates of adults with serious mental illness and children with serious emotional disturbance, the associated costs per person served, and recommendations for maximizing the use of federal funds to meet these needs. The estimates must be submitted to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives on August 1 of each year.

(3) Each fiscal year, any funding increases for crisis services or community mental health services that are included in the General Appropriations Act shall be appropriated in a lump-sum category as defined in s. 216.011(1)(aa), Florida Statutes. In accordance with s. 216.181(6)(a), Florida

Statutes, the Executive Office of the Governor shall require the Department of Children and Family Services to submit a spending plan for the use of funds appropriated for this purpose. The spending plan must include a schedule for phasing in the new community mental health services in each service district of the department and must describe how the new services will be integrated and coordinated with all current community-based health and human services.

(4) On October 1, 2002, and on October 1, 2003, the Department of Children and Family Services shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives concerning the progress made toward expanding the provision of community mental health services, as required by subsection (1), during the prior fiscal year.

(5) By January 1, 2004, the crisis services defined in s. 394.67(4), Florida Statutes, shall be implemented, as appropriate, in the state's public community mental health system to serve children and adults who are experiencing an acute mental or emotional crisis, as defined in s. 394.67(18), Florida Statutes. By January 1, 2006, the mental health services defined in s. 394.67(16), Florida Statutes, shall be implemented, as appropriate, in the state's public community mental health system to serve adults and older adults who have a severe and persistent mental illness and to serve children who have a serious emotional disturbance or mental illness, as defined in s. 394.492(6), Florida Statutes.

(6) The provisions of subsections (1) and (5) shall be implemented to the extent of available appropriations contained in the annual General Appropriations Act for such purposes.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 30, 2002.

Filed in Office Secretary of State May 30, 2002.