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FLORIDA MENTAL HEALTH ADVOCACY COALITION

July 5, 2023

Behavioral Health Bills Signed into Law by the Governor

Nine behavioral health bills supported by the Florida Mental Health Advocacy Coalition were signed into law by Governor DeSantis. They all received overwhelming bipartisan support by the Florida legislature. If any of the sponsoring members represent your district, please reach out to thank them for these bills.

NOTE: You can view the text of the entire bill by clicking on the bill number.

CS/SB 914 - Suicide Prevention - The "988 Study Bill." (Sen. Ileana Garcia and Rep. Dana Trabulsy)

This bill represents two years of advocacy by FLMHAC and its member organizations aimed at focusing state attention and resources on how Florida communities can better respond to people having behavioral health crises.

- Revises the purposes of the Commission to include an assessment of the state's suicide prevention infrastructure and other components of the state's crisis response services. This assessment includes identifying available funds that can be used to support the 988 Suicide and Crisis Lifeline;

- Renames the Commission on Mental Health and Substance Abuse to the “Commission on Mental Health and Substance Use Disorder”;
- Requires the Commission to evaluate and make recommendations regarding use of Mental Health First Aid and similar training;
- Extends the work of the Commission through September 1, 2026.
- Adds a representative from the statewide Florida 211 Network as a member of the Commission;
- Allows active, volunteer, and auxiliary first responder agencies to designate their own peers.

CS/SB 164 – Fentanyl Testing Strips (Rep. Christine Hunschofsky and Sen. Tina Polsky)

Excludes from the definition “drug paraphernalia” narcotic-drug-testing products that are used solely to determine whether a controlled substance contains fentanyl or other controlled substances. This exclusion does not apply to a narcotic-drug-testing product that can measure or determine the quantity, weight, or potency of a controlled substance.

HB 1349 – Mental Health Treatment (Sen. Jennifer Bradley and Rep. Lauren Melo)

- Allows the Department of Children and Families to issue a conditional designation for up to a certain number of days to allow the implementation of certain corrective measures by receiving facilities, treatment facilities, and receiving systems while keeping facilities open;
- Requires the sheriff to administer or to permit the department to administer the appropriate psychotropic medication to forensic clients before admission to a state mental health treatment facility;
- Requires consideration of Community Treatment for forensic patients, and speeds up the Competency Restoration process for clients designated as "incompetent to proceed" (which should divert more people from the process).

CS/CS/CS/SB 1064: Trauma Screening for Children Removed from Caregivers (Sen. Clay Yarborough and Rep. David Borrero)

- Requires trauma-focused screening within 14 days after a child is removed from their Caregiver, no matter where the child is placed.
- If screening is positive, the child must receive trauma-focused services provided by community-based care agencies.

SB 938 – Operation and Administration of the Baker Act (Sen. Tracie Davis and Rep. David Silvers)

Requires the Department of Children and Families to update the handbook and FAQs on the website for the Baker Act. The last manual on the Baker Act was published in 2014 and the legislature has amended the law several times since.

CS/HB 33 and HB 35 - Pub. Rec. and Meetings/Psychology Interjurisdictional Compact (Rep. Christine Hunschofsky, Rep. Traci Koster, and Sen. Gayle Harrell)

Authorizes psychologists in compact states to practice telepsychology in other compact states. Includes bill to exempt confidential information from public records.

CS/SB 210 - Substance Abuse Services (Sen. Gayle Harrell and Rep. Mike Caruso)

Addresses application and credentialing requirements for recovery residences, including proof of a prohibition on the premises against alcohol, marijuana, illegal drugs, and the use of prescribed medications by an individual other than the individual for whom the medication is prescribed.

CS/CS/HB 1045- Certified Peer Specialist Gateway Pilot Program (Sen. Darryl Rouson and Rep. Dianne Hart)

Establishes the Certified Peer Specialist Gateway 3-year Pilot Program within the Department of Corrections for four institutions: Gadsden Re-entry (north of Tallahassee), Baker Re-entry (west of Jacksonville), Lowell Annex in Ocala, and Marion Correctional. Provides participating inmates with a path to become Certified Recovery Peer Specialists.

SB 508 – Problem Solving Courts (Sen. Darryl Rouson and Rep. Patt Maney)

Expands eligibility for voluntary problem-solving courts such as Drug and Mental Health Courts and bases the time in the adjudicated treatment program on clinical criteria.

If you are a family member or peer receiving behavioral health services, FLMHAC is the only statewide behavioral health advocacy organization representing your interests in Tallahassee!

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