

## HOUSE MESSAGE SUMMARY

BILL: CS/SB 358 [S0358.HMS]  
SPONSOR: Committee on Children and Families  
SUBJECT: Substance abuse and mental health  
PREPARED BY: Senate Committee on Children and Families  
DATE: May 1, 2000

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### I. Amendments Contained in Message

#### House Amendment 00358-0043-565181

### II. Summary of Amendments Contained in Message

**House Amendment 00358-0043-565181** includes provisions from SB 358, SB 1844, SB 682, SB 1856.

#### **SB 358**

The amendment removes several client definitions (e.g., adult who has a serious mental illness, adult who has a substance abuse impairment, and adults at risk of mental illness or substance abuse impairment) and specifies that a person must be a member of one of the department's target groups approved through the performance based budgeting process to be eligible to receive publicly funded substance abuse and mental health services.

The amendment removes the provision that 50 percent of certain local matching funds may be spent within that county during the next fiscal year on special local needs for substance abuse and mental health services.

The amendment specifies that within existing appropriations, the department must ensure that non-Medicaid clients discharged from mental health facilities continue to receive medications which effectively stabilized their mental illness while in the treatment facility including the newer medications, unless a substitution is clinically indicated as determined by the licensed physician responsible for the person's psychiatric care.

The amendment directs the Commission on Mental Health and Substance Abuse to study and make recommendations regarding who should receive publicly funded mental health and substance abuse services.

#### **SB 1844**

Contains several of the provisions contained in SB 2034 (Public Health Bill) that passed the Senate.

Revises the appointment procedures to local and statewide Long Term Care Ombudsman Councils. The amendment provides for cooperative working agreements between the ombudsman and other entities involved in the protection of nursing home residents. Provides funds for comprehensive training of all volunteer ombudsmen and for education materials.

### **SB 1856**

This bill revises the system for conducting pre-employment background screening for paid caregivers of elderly and disabled persons. Service letter (employment history/reference check letter) provisions are not included in this amendment.

### **SB 682**

Contains the provisions of SB 682 that passed the Senate. SB 682 requires that children in the legal custody of the department be placed by the department in a residential treatment center licensed under s. 394.875, F.S., or in a hospital licensed under ch. 395, F.S., only after verification by a qualified evaluator (psychologist or psychiatrist ) that residential mental health treatment is clinically appropriate for treating the child's emotional disturbance and that available less restrictive treatment modalities have been considered. The bill requires a court hearing no later than 3 months after the child is placed in residential treatment that includes a clinical review by a qualified evaluator addressing the need for continued residential treatment.

The bill creates the authority under s. 394.875, F.S., to license residential treatment centers that provide mental health treatment to children and adolescents with emotional disturbances and provides that it is unlawful for an entity to hold itself out to be or to act as such a facility without a license. The Department of Children and Family Services, in consultation with the Agency for Health Care Administration, is directed to adopt rules specifying standards for admission; length of stay; program and staffing; discharge and discharge planning; treatment planning; seclusion, restraints, and time out; rights of patients under s. 394.459, F.S., use of psychotropic medications; and operational requirements.

**It is recommended that the Senate concur with the House.**