



Historical Commission Recommendations and Results

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Commission Recommendation

**Modernize the Baker Act
and Marchman Act**

Interim report #1



**Establish Regional
Collaboratives**

Interim report #2



House Bill 7021 (2024) – Mental Health and Substance Abuse

- Provides discretion to law enforcement when initiating a Baker Act.
- Strengthens discharge planning for Baker Act and Marchman Act.
- Creates the Office of Children’s Behavioral Health Ombudsman within the Department.
- Requires the Department of Children and Families (Department) and the Agency for Health Care Administration to establish regional collaboratives.



Implementation Update

The updated FAQ document and the Baker Act Reference guide were published on the Department's Website.

Updates include:

- Supports law enforcement officers' discretion when initiating an involuntary examination.
- Allows psychiatric nurses to order emergency treatment.
- Clarifies that the 72-hour examination period begins upon arrival at a receiving facility.
- Streamlines involuntary inpatient placement and involuntary outpatient services.
- Clarifies that the role "legal custodian" includes youth in custody of the Department of Juvenile Justice (DJJ) and directs access to clinical records to support the transition back to DJJ after an involuntary examination.
- Strengthens connection between law enforcement and parents or guardians by ensuring specific information relating to a Baker Act of a minor is shared when appropriate.
- New discharge planning requirements to support individual well-being.



Implementation Update (Continued)

Hosted Live Webinar
September 2024



Nearly 8,000
Professional CEUs
Issued

Nine Training Courses

- Law Enforcement and the Baker Act
- Implementing Baker Act Procedures in Receiving Facilities
- Introduction to the Baker Act
- Introduction to the Marchman Act
- Minors and the Baker Act
- Long-Term Care and the Baker Act
- Guardian Advocate and the Baker Act
- Florida's Baker and Marchman Acts: A Course for Medical Personnel New
- Understanding Florida's Baker and Marchman Acts: A Course for Emergency Medical Services



Implementation Update (Continued)

Status of Rule Adoption

Forms

Rule Adopted December 2024.

Right to Communication & Visits

Rule Adopted December 2024.

Involuntary Services

Current rules will be repealed and integrated into a single rule. The draft is under review for Published Rule.

Discharge from Receiving and Treatment Facility

Notice of Rule Development published in FAR on April 1, 2026.

Emergency Treatment Orders for the Administration of Psychotropic Medications

Rule Adopted October 2025.

Transportation

Rule Adopted October 2025.

Voluntary Admission

Rule Adopted December 2025.



Regional Collaboratives: Implementation Highlights



Six Regional Collaboration Coordinators were hired to lead community engagement and collaboration in each region.



Membership includes representatives from behavioral health providers, Managing Entities, hospitals, schools, law enforcement, and individuals with lived experience – extending beyond those in statute.



Coordinators work with local points of contact to drive participation and facilitate quarterly meetings.



Meetings are publicly noticed in the Florida Administrative Register and posted on the Department's website to promote openness and participation.



Commission Recommendation



Complete a Gap Analysis

Interim report #2



Senate Bill 330 (2024) – Behavioral Health Teaching Hospitals

- Creates Behavioral Health Teaching Hospital designation.
- Establishes a grant program in the Agency for Health Care Administration to fund Behavioral Health Teaching Hospitals.
- Creates the Florida Center for Behavioral Health Workforce.
- Requires a Mental Health Inpatient Treatment Services Capacity Study.
 - *Includes completion of a gap analysis.*



DCF Implementation Update

The Department contracted with Ernst and Young for a detailed study of the capacity for inpatient treatment services for adults and children with serious emotional and mental health disturbances or psychosis in Florida's forensic inpatient, safety-net voluntary and involuntary civil inpatient placement, and Medicaid statewide inpatient psychiatric programs, and produced a report by January 31, 2025.

The study included:

- Analyses of current capacity;
- Current and projected future demand;
- The state's current and projected future ability to meet that demand; and
- Recommendations for enhancing the availability of inpatient treatment services and for providing alternatives to such services.



Commission Recommendation



Establish a policy recognizing 988 as a part of the behavioral health system of care and require Managing Entities to ensure and encourage communication and development of formal relationships between the 988 Florida Suicide & Crisis Lifelines and network providers, including Mobile Response Teams and Crisis Stabilization Units.

Interim report #2

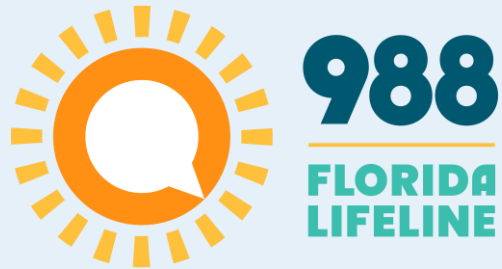


House Bill 1091 (2025) – Substance Abuse and Mental Health Care

- Expands mental health crisis services to include the 988 Suicide and Crisis Lifeline.
- Repeals the need assessment requirement for licensure of Medication Assisted Treatment programs.
- Establishes enhanced training standards for mental health professionals conducting forensic evaluations, emphasizing competency restoration, evidence-based practices, and placement alternatives to ensure consistent and effective forensic evaluations.



DCF Implementation Update



The Department has developed and implemented rules for the 988 Florida Lifeline.

- Florida Administrative Code 65E-5.604
- Minimum Standards for 988 Florida Lifeline Call Center
- Adopted on February 18, 2026.



Commission Recommendation(s)



Develop a Florida Behavioral Healthcare Data Repository.

Interim reports #1-3



Limit the use of competency restoration process to cases that are inappropriate for dismissal or diversion using the following

Interim report #1

- Divert cases inappropriate for competency restoration (misdemeanor/low level felonies) from the criminal justice system through the expansion and funding of specialty courts and programs
- Restrict which cases are referred for competency evaluations
- Expand and fund section 916.185, F.S. - Competency Alternative Programs.



Senate Bill 168 (2025) – The Tristan Murphy Act

The Tristan Murphy Act creates new diversion pathways for people with mental illness as an alternative to incarceration when feasible:

- Allows counties and municipalities to establish misdemeanor mental health diversion programs and pretrial felony diversion programs
- Provides sheriffs, courts, and treatment providers a clear process for routing individuals with serious mental illness out of the criminal justice system and into care
- Expands the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program to include a new focus on veteran treatment court programs and emergency responder training
- Creates the Florida Behavioral Health Care Data Repository with the Northwest Regional Data Center



DCF Implementation Update



The Department developed a procurement document for the Reinvestment Grants so that applications can be requested and grants awarded to selected applicants.

The Department anticipates posting of award by May 2026.



A summary detailing the legislative changes from SB 168 was sent to the Managing Entities and the University of South Florida (USF) Technical Assistance Center who work with CJMHSR Reinvestment Grants and USF representatives who train mental health experts on conducting adult forensic evaluations.



Commission Recommendations

Encourage statewide implementation of the DLA-20 functional assessment tool, include it into all new state contracts, and evaluate the DLA-20 tool and the marketplace every two years.



Assess Florida school districts and identify effective models of school-based behavioral health access through telehealth.

Increase Short-term Residential Treatment facility capacity for adults and children.



Conduct analysis of publicly funded health plan panels for mental health and substance use services.

Increase use of Long Acting Injectables prior to discharge from State Mental Health Treatment Facilities and Community Mental Health Providers.



Commission Recommendations (Continued)

Stipends, compensation, and/or support for clinical supervisors and/or employers, students, and registered interns.



Local community and statewide incentives to attract and recruit behavioral healthcare professionals.

Conduct a workforce compensation study (conducted by the Florida Center for Behavioral Health Workforce).



Increase crisis response teams focused on seniors to divert older adults from deeper end services and provide follow-up to ensure continued stabilization.

Share best practices on mental health first aid and the use of de-stigmatizing person-first language and trauma-responsive care to improve patient experience and engagement in treatment.



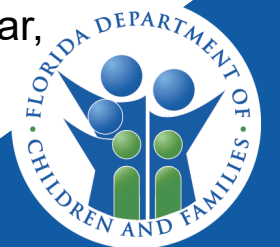
Senate Bill 1620 (2025) – Mental Health and Substance Use Disorders

- Defines person-first language to mean language used in a professional medical setting must emphasize the patient as a person rather than his or her disability or illness and requires use and promotion of person-first language as the standard in professional behavioral health settings.
- Requires the continued promotion of best practices in crisis intervention and trauma-informed care.
- Requires the use and statewide integration of the Daily Living Activities-20 (DLA-20) functional assessment tool.
- Requires the Department, in consultation with the Department of Education (DOE), to conduct a biennial review of school-based behavioral health services and behavioral health telehealth access.
- Requires the Department to conduct biennial reviews and the Agency for Health Care Administration (AHCA) to prioritize licensing for short-term residential treatment facilities in underserved counties and high-need areas.
- Requires that the Department's rule for Mobile Crisis Response Services or Mobile Response Teams establishes clear, effective training tools or requirements designed to enhance the delivery of crisis services for individuals aged 65 and older to enable the service to meet the specialized needs of such individuals.



Senate Bill 1620 – Mental Health and Substance Use Disorders

- Defines person-first language to mean language used in a professional medical setting must emphasize the patient as a person rather than his or her disability or illness and requires use and promotion of person-first language as the standard in professional behavioral health settings.
- Requires:
 - Continued promotion of best practices in crisis intervention and trauma-informed care.
 - Use and statewide integration of the Daily Living Activities-20 (DLA-20) functional assessment tool.
 - The Department, in consultation with the Department of Education (DOE), to conduct a biennial review of school-based behavioral health services and behavioral health telehealth access.
 - The Department to conduct biennial reviews and the Agency for Health Care Administration (AHCA) to prioritize licensing for short-term residential treatment facilities in underserved counties and high-need areas.
 - The Department's rule for Mobile Crisis Response Services or Mobile Response Teams to establish clear, effective training tools or requirements designed to enhance the delivery of crisis services for individuals aged 65 and older to enable the service to meet the specialized needs of such individuals



DCF Implementation Update

- 65E-5.603, F.A.C (Minimum Standards for Mobile Response Teams) was adopted on October 20, 2025.
- The Department amended its contract with its training vendor to develop and host training regarding provision of mobile response services to seniors and training.
- At this time, 95% of Mobile Response Team providers have been trained.
- The Department submitted a Legislative Budget Request for FY 2026-2027 to support the need for new Short-term Residential Treatment facilities.

To support the statewide Implementation of the DLA-20, the Department has:

Secured a vendor for DLA-20 provider training and anticipates training to be completed by Spring 2026.

Revised Managing Entity contracts requiring the utilization of the DLA-20

Drafted language for Florida Administrative Code 65E-14.021

Embedded DLA-20 information on the Department's website.



DCF Implementation Update (Continued)

- A hearing was conducted on November 18, 2025, for Rule 65E-5.1303, F.A.C., “Discharge from Receiving and Treatment Facilities.” to address the authorization of the administration of long-acting injectables antipsychotic medications to certain clinically approved individuals discharged from receiving facilities. Rule language was revised following the hearing and is currently being refined.
- The Department updated and published the Baker Act Manual on October 1, 2025, to strengthen guidance on considering the use of long-acting injectable medications.
- The Department worked with the Department of Education to review school-based behavioral health access and strategize innovative school-based school behavioral health services initiatives and best practices. The report was published in January 2026.
- The Department updated the Managing Entities contract Guidance Document 35 to reflect new statutory requirements. Guidance Document 35 provides direction and recommendations for implementation of Recovery Management practices in Network Service Providers.





THANK YOU!

