

Florida Department of Children and Families (DCF)  
CENTRAL Region  
Substance Abuse and Mental Health Program

**Hernando County Behavioral Health  
Transportation Plan**

*In accordance with*

***Florida Mental Health Act***

(Baker Act)

Florida Statute 394.462

**Hall S. Marchman Alcohol and  
Other Drug Services Act**

(Marchman Act)

Florida Statute 397

**2023-2026**

*For approval by:*

***Shevaun Harris***

***Secretary***

***Department of Children and Families***

**DEPARTMENT OF CHILDREN AND FAMILIES  
CENTRAL REGION SUBSTANCE ABUSE AND MENTAL HEALTH  
HERNANDO COUNTY BAKER ACT  
TRANSPORTATION PLAN**

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## **INTRODUCTION**

In accordance with the changes promulgated by Senate Bill 12 to Florida Statutes Chapter 394, Part I, Florida Mental Health Act, or the ("Baker Act"), and Chapter 397 (commonly referred to as the Marchman Act), Hernando County developed a Transportation Plan (TP) to organize a centralized system for acute care services. The TP was developed by members of the Hernando County Public Safety Council Committee and the Baker Act and Substance Abuse Committee, listed on page six of this plan.

The intent of requesting this plan was congruent with Chapter 394, Florida Statutes:

1. An arrangement centralizing and improving the provision of services within a district, which may include an exception to the requirement for transportation to the nearest receiving facility.
2. An arrangement by which a facility may provide, in addition to require psychiatric services, an environment and services which are uniquely tailored to the needs of an identified group of persons with special needs, such as persons with hearing impairments or visual impairments, elderly persons with physical frailties, or minors.
3. A specialized transportation system that provides an efficient and humane method of transporting patients to receiving facilities, among receiving facilities, and to treatment facilities.

## **HISTORY/PURPOSE**

Historically, Hernando County's transportation plan required the transportation of individuals under the age of 18 to the nearest receiving facility that had licensed psychiatric beds specifically designated for minors instead of the nearest receiving facility and Individuals 18 years of age and older to the nearest receiving facility licensed for adults. This exception changed in 2011, with the closing of the facility for children, which then required the transportation of adults and minors to the nearest receiving facility. This current plan ensures that minors requiring immediate access to services designed to meet their specific needs and reduce the need for transfers for behavioral health service.

## **GOALS AND OBJECTIVES**

The following objectives are expected to be met by establishing a TP in Hernando County:

- Implement a coordinated system of transportation and access to psychiatric services for children and adults under a Baker Act order and substance abuse services for adults under a Marchman Act order in Hernando County.
- Provide specialized services to children.
- Provide a dignified, humane, and streamlined method of transportation to and among acute care facilities, and for individuals in need of acute psychiatric care from nursing homes, assisted living facilities or other residential settings.
- Assist law enforcement in the efficient transport of individuals in need of services to the most appropriate facility.
- Enhance the ability to fully utilize the capacity of acute care services in the county and reduce the unnecessary delay of transfers between facilities.
- Ensure continuity and coordination of care among providers.

In order to accomplish these objectives, the Hernando County Behavioral Health TP requires that law enforcement agencies in Hernando County to transport individuals in need of mental health services under the Baker Act to the receiving facility directed by this TP, which is the “nearest receiving facility.” This plan does not address patients who are seeking mental health or substance abuse services on a voluntary basis.

**The TP focuses on the following populations:**

**Children and Adolescents Who Are Age 17 and Under:**

Persons aged 17 and under in Hernando County requiring examination in accordance with FS 394 will be transported by the Hernando County Sheriff’s Office . Law Enforcement will transport those individuals age 17 and under who meet the criteria described within FS 394 to **SpringBrook Hospital, located at 7007 Grove Road, Brooksville, FL 34609, 352-596-4306.**

Persons age 17 and under in Hernando County requiring examination in accordance with FS 397 may be transported by the Hernando County Sheriff’s Office. Law Enforcement may transport individuals age 17 and under who meet the criteria described within FS 397 to the nearest Marchman Act receiving facility or as specified in the order.

In order to expedite the screening and assessment process, law enforcement agencies in Hernando County may call the facility, if possible prior to arrival to provide personal information that includes, if known, name, age, birth date, social security number, apparent medical concerns, and any substance abuse concerns such as level of intoxication as appropriate.

**Adults Who Are Age 18 and Older**

Persons age 18 and older in Hernando County requiring examination in accordance with FS 394 will be transported by the Hernando County Sheriff’s Office. Law Enforcement will transport those individuals age 18 and older who meet the criteria described within FS 394 to **SpringBrook Hospital, located at 7007 Grove Road, Brooksville, FL 34609, 352-596-4306.**

Persons aged 18 and older in Hernando County requiring examination in accordance with FS 397 will be transported by the Hernando County Sheriff’s Office. Law Enforcement will transport those individuals age 18 and older who meet the criteria described within FS 397 to the nearest Marchman Act receiving facility or as specified in the order.

In order to expedite the screening and assessment process, law enforcement agencies in Hernando County may call the facility, if possible prior to arrival to provide personal information that includes, if known, name, age, birth date, social security number, apparent medical concerns, and any substance abuse concerns such as level of intoxication as appropriate.

**Adults Who Are Currently Incarcerated**

The TP addresses the needs of adults who are currently incarcerated. Hernando County Sheriff’s Office will transport adults currently incarcerated in need of Baker Act services to **SpringBrook Hospital located at 7007 Grove Road, Brooksville, FL 34609, 352-596-4306.** In order to expedite the screening and admission process the Sheriff’s Office can call the facility prior to arrival to provide personal information that includes, name, age, date of birth, social security number, apparent medical concerns, and any substance abuse concerns such as level of intoxication. If a patient on the unit is under a jail hold and needs medical attention, SpringBrook

Hospital will coordinate with the Hernando County Sheriff's Office for transportation to the hospital.

**Individual and Family Choice:**

Individuals that present themselves to a Baker Act Receiving Facility, a Marchman Act Receiving Facility, law enforcement, or an emergency care center has the option and/or their family has the option to choose the provider of the individual's choice. Florida Statute 394.4685 affirms that a patient who has been admitted to public receiving or public treatment facility and has requested, either personally or through their guardian or guardian advocate, and is able to pay for treatment in a private facility shall be transferred at the patient's expense to a private facility upon acceptance of the patient by the private facility. Whenever possible, an individual may be transported to the receiving facility of choice that accepts his/her private insurance benefits. In these circumstances, transportation will be arranged by the sending facility when at all possible, and will be at the patient's expense. If deemed to be in a need of inpatient services, the individual is transported to the receiving facility where his/her insurance benefits covers the cost of inpatient care, if requested by the individual or their family, when at all possible. Clinical and public safety circumstances are always assessed and considered in this process.

**BAKER ACT TRANSPORTATION:**

Hernando County Sheriff's office is the responsible party to transport individuals in need of mental health services under the Baker Act and ex-parte order by a circuit or county judge to the appropriate receiving facilities.

When an individual has a medical issue that needs to be addressed or an intoxication level that is medically compromising, law enforcement will transport the individual being detained under a Baker Act order to the nearest emergency care center for medical stabilization. When the individual has been stabilized or medically cleared, he/she will be transported to the nearest designated receiving facility. The emergency care center will arrange transport of the individual to the appropriate destination.

If the emergency room physician determines that the individual is to be admitted to the hospital, the deputy having custody shall advise the on-duty physician that the individual is to be evaluated for involuntary examinations by a hospital physician prior to the individual's release. The hospital is then responsible for transporting the individual to a mental health facility should individual still meet criteria.

When any law enforcement officer has arrested a person for a felony and it appears that the person meets the statutory guidelines for involuntary examination or placement under this part, such person shall first be processed in the same manner as any other criminal suspect. The law enforcement agency shall thereafter immediately notify the appropriate receiving facility of subject's location, and the receiving facility shall be responsible for promptly arranging for the examination and treatment of the person.

When any law enforcement officer has custody of a person based on either noncriminal or misdemeanor charges that meets the statutory guidelines for involuntary examination under this part, the law enforcement officer shall transport the person to the nearest receiving facility for examination.

Once an individual is in a facility, there are occasions when that individual needs to be discharged from one facility and transferred to another facility. Transportation between facilities is coordinated by the transferring facility. Law enforcement is not responsible for the transportation of individuals from one facility to another unless the individual has criminal charges or is deemed a threat. In

that case, the Hernando County Sheriff's Office shall be notified prior to transfer and will provide the transportation.

Upon completion of treatment for individuals who are designated "on hold" as a result of being booked prior to treatment, the receiving facility is required to contact the Hernando Sheriff's Office who shall arrange for transportation to the Hernando County Jail.

Law enforcement will transport from a facility other than a hospital (i.e., a nursing home, assisted living facility, etc.) if requested by a person authorize to initiate and involuntary examination. Authorized personnel include physicians, clinical psychologist, psychiatric nurses, and clinical social workers.

### **MARCHMAN ACT TRANSPORTATION:**

The TP also addresses and clarifies Marchman Act transportation by law enforcement.

In cases involving an ex-parte order issued by a circuit or county court, law enforcement shall take the person into custody and deliver him or her to the appropriate facility within the designated receiving system. The facility and confirmation of a bed is received and included in the order. (Hernando County does not have any Marchman Act facilities within the county.) Law enforcement may call to confirm bed availability and/or capacity prior to transport; however, if that facility does not have availability or capacity, the facility will arrange for secondary transfer to an addiction receiving facility.

A law enforcement officer may take a person who appears to meet criteria for involuntary examination or assessment into custody and transport him or her to the appropriate facility within the designated receiving system, executing a written report of the circumstances. FS Chapter 397, the Hal S Marchman Alcohol and Other Drug Services Act provides law enforcement with the criteria for involuntary admissions, including protective custody, for the purposes of assessment, stabilization and involuntary treatment. When in contact with an individual suspected to be substance impaired, the deputy will observe his/her behavior. They may implement protective custody measures if it is determined that the individual meets the criteria set forth in FS 397.675 and is brought to the attention of law enforcement or is in a public place.

#### **Protective Custody with consent:**

With the individual's consent, the deputy may contact a family member or friend to provide assistance and/or transport to the individual's home, a hospital, or detoxification receiving facility. Under exigent circumstances, the deputy shall take the individual into protective custody to their residence, hospital, a designated detoxification center, or addictions facility whichever the deputy determine is most appropriate.

#### **Protective Custody without consent:**

If the individual fails or refuses to consent to assistance, the deputy , after giving due consideration to the expressed wishes of the individual and exercising lawful discretion may:

Take the individual to a hospital or a licensed detoxification or addictions receiving facility.

The nearest relative of a minor in protective custody must be notified by the deputy, as soon as practicable, as must the nearest relative of an adult, unless the adult requests that there be no notification.

#### **If an individual has a physical injury or other health concerns:**

When physical injuries requiring treatment are observed, or if the deputy is otherwise concerned for the physical health of the individual due to the extent of the substance abuse, the individual

will be transported to the nearest emergency room facility. At the deputy discretion, emergency medical services may be called to the scene for evaluation, treatment and or transport.

- a. If the individual is “medically cleared,” the deputy will then transport to the most appropriate location as previously determined
- b. If the individual is admitted by the hospital , the deputy will have met the requirement of FS 397.6771 and FS 397.6772

#### Juveniles

In most situation, the juvenile can be released to the nearest adult relative or guardian. If protective custody is necessary, the deputy will notify the nearest adult relative or guardian, and transport the juvenile to the appropriate regional facility, designated to accept Marchman Act juveniles.

### **MEDICAL STABILIZATION:**

The Hernando County Public Safety Council and Baker Act/Substance Abuse Meeting members will continue to maintain and revise the medical exclusionary guidelines that are used to assist in determining the most appropriate inpatient setting for psychiatric patients requiring hospitalization. These guidelines are used among all the community partners to ensure that individuals who are assessed to need medical care are treated in a hospital. Once the individual is medically stabilized, the medical facility determines the appropriate Baker Act receiving Facility. Transportation from one facility to another is coordinated by the transferring facility. Law enforcement is not responsible to transport from one facility to another.

If a jail-hold patient is currently under a Baker Act at the receiving facility and is in need of medical attention, the facility will coordinate with the Hernando County Sheriff’s Office for transportation to the hospital. The Sheriff’s Office will provide the transportation. In all cases, clinical and public safety circumstances must be considered in the process.

### **BAKER ACT/SUBSTANCE ABUSE COMMITTEE**

The purpose of the Hernando County Baker Act/Substance Committee is to discuss the operation of the transportation plan and to represent the community-based behavioral health system in the county. The committee meets regularly to review grievances, issues, and assurances of patient’s rights.

The Baker Act/Substance Abuse meeting is comprised of, but not limited to representatives of the following agencies:

- Hernando County Board of County Commissioners
- LSF Health System
- BayCare Behavioral Health System
- Hernando County Sheriff’s Office
- Department of Children and Families
- SpringBrook Hospital
- Bravera Health – Brooksville
- Bravera Health Spring Hill
- HCA Florida Oak Hill Hospital
- SEDNET
- Hernando County Fire/EMS
- Hernando Community Coalition
- NAMI Hernando

- Dawn Center, Hernando County
- Hernando County Clerk of Court

### **BAKER ACT RECEIVING FACILITIES:**

- **SpringBrook Hospital, located at 7007 Grove Road, Brooksville, FL 34609, 352-596-4306 is a receiving facility licensed by the Agency of Health Care Administration (AHCA). *This is the only receiving facility in Hernando County.***

### **MEDICAL TREATMENT**

If there is an obvious major medical condition presented to law enforcement, individuals will be transported by EMS directly to the nearest emergency room in Hernando or surrounding counties to be treated and assessed for further disposition.

#### Bravera Health Brooksville

17240 Cortez Blvd, Brooksville, FL

#### Bravera Health Spring Hill

10461 Quality Drive, Spring Hill, FL

#### Oakhill Hospital

11375 Cortez Blvd, Brooksville, FL

### **SYSTEM OVERSIGHT**

In an effort to resolve issues and disputes as they arise in the implementation of this plan, the Public Safety Coordinating Council and the Baker Act/Substance Abuse Committee will meet regularly to act as the forum for addressing issues as they arise in the implementation of this transportation plan. The Baker Act/Substance Abuse Committee will also facilitate the collaborative conflict resolution process between agencies and assure that this plan is reviewed, revised, and approved as needed.

All agencies and providers that are involved in the acute behavioral health system of care are responsible for participating in the Hernando County Baker Act/Substance Abuse Committee.

Should issues or conflicts arise between or among providers, law enforcement, and/or agencies within the Acute Care Behavioral health system those issues or conflicts should be addressed directly with those involved with the conflict or issue. Attempts should be made by the involved parties to discuss the issue from all sides and arrive at a mutually acceptable resolution.

Should the issue or conflict continue not to be resolved after efforts have been made to address it between the involved parties, the issue should be brought to the Baker Act/Substance Abuse Committee and they will work collaboratively to resolve issues related to the implementation of the plan.

The Department of Children and Families and LSF Health Systems will actively support and participate in this process as well as coordinate other services needed for individuals beyond acute care services.

Any updates will be approved by the County Commissioners and updated with the Department of Children and Families, Substance Abuse and Mental Health Program Office.



The Central Region Department of Children and Families, Substance Abuse and Mental Health Program Office (the Department) is responsible for providing oversight to the Baker Act System in Hernando County. The Department monitors this TP annually. The Department has the authority to resolve issues concerning the Baker Act. The Department also receives client grievances or complaints directly from clients. The Department is available to mediate interagency problems as well as coordinate other services needed for clients beyond acute care services. The Department also has a working relationship with the Agency for Health Care Administration.

## DEFINITIONS

Baker Act: The Florida Mental Health Act Florida Statute 394.


Marchman Act: The Hal S. Marchman Alcohol and Other Drug Services Act

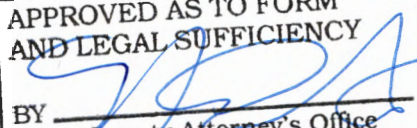
Designated Receiving Facility: A facility approved by the Department of Children and Families which may be a public or private hospital, crisis stabilization unit or addictions receiving facility; which provides at a minimum, emergency screening, evaluation, and short-term stabilization for mental health or substance abuse disorders; and which may have an agreement with a corresponding facility for transportation and services. [s. 394.455(13) F.S.]

Facility: Any hospital, community facility, public or private facility, or receiving or treatment facility providing for the evaluation, diagnosis, care, treatment, training, or hospitalization of persons who appear to have or who have been diagnosed as having a mental illness or substance abuse impairment. The term does not include a program or an entity license under chapter 400 or chapter 429.

2023-2026 Transportation Plan Approved:

  
\_\_\_\_\_  
John Allocco, Chairman  
Hernando County  
Board of County Commissioners

  
\_\_\_\_\_  
Date

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY   
County Attorney's Office