

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**

**Hal S. Marchman Alcohol and
Other Drug Services Act
(Marchman Act)
Florida Statute 397**

2027-2030

For approval by:

**Taylor N. Hatch
Secretary
Department of Children and Families**

TABLE OF CONTENTS

Page

Table of Contents

Introduction	3
History/Purpose	3
Goals and Objectives	3
Accessing the Designated Receiving System	4
1. Ex parte order	4
2. Professional Certificate	4
3. Protective custody by Law Enforcement Officer	4
Mobile Response Teams (MRT)	5
Methods of Transportation	5
Baker Act Transportation	5
4. Ex parte order	5
5. Professional Certificate	5
6. Protective custody by Law Enforcement Officer	5
Persons Who Are Age 18 and Older	6
Persons Who Are Age 17 and Under:	6
Adults Who Are Currently Incarcerated.....	6
Individual and Family Choice	8
Marchman Act Transportation	6
4. Ex parte order	6
5. Professional Certificate	7
6. Protective custody by Law Enforcement Officer	7
Persons who are aged 18 and older	7
Persons who are 17 and younger	7
Juvenile Facility (Ages 12-17)	8
Out of County Transports	9
Baker Act and Substance Abuse Committee:	10
Public Safety Coordinating Council:	10
System Oversight	11
Definitions	11
Baker Act	11
Marchman Act.....	11
Designated Receiving Facility (Florida Statute 394.455).....	12
Facility	12
Threat	12

Introduction

In accordance with the changes promulgated by Senate Bill 12 to Florida Statute Chapter 394, Part I, Florida Mental Health Act, or the (“Baker Act”), and Florida Statute 397 (commonly referred to as the Marchman Act), Hernando County developed a Transportation Plan (TP) to organize a centralized system for acute care services as described under Florida Statute 394.462. The Plan was developed by members of the Hernando County Public Safety Coordinating Council and the Baker Act and Substance Abuse Committee.

The intent of requesting this plan was congruent with FS 394.462:

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 requiring 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.
4. Pursuant to Florida Statute 394.462(2)(a), involuntary and voluntary patients will be transported to a treatment facility in a safe and dignified manner irrespective of the patient’s or any person legally obligated or responsible for the patient’s ability to pay the expense of transportation.

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 meet their specific needs and reduces the need for transfers for behavioral health services.

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 as defined under Florida Statutes 394 and Florida Statutes 397, also known as the Baker Act and the Marchman Act, respectively.
- 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.
- 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.

Law enforcement actions under this plan are governed by statutory authority, and nothing in this plan shall be interpreted to expand that authority.

Accessing the Designated Receiving System

394.4625, 394.463, 397.601, and 397.675 outline the different ways persons may access acute care services through the designated receiving system.

Involuntary assessment and stabilization may be initiated by the following means:

1. Ex parte order

Ex parte order issued by a circuit or county court. In those cases, law enforcement shall take the person into custody and deliver him or her to the appropriate receiving facility within the designated receiving system.

2. Professional Certificate

- Per Baker Act (394.463), a physician, a physician assistant, a clinical psychologist, a psychiatric nurse, an advanced practice registered nurse registered under s. 464.0123, a mental health counselor, a marriage and family therapist, or a clinical social worker may execute a certificate stating that he or she has examined a person within the preceding 48 hours.
- Per Marchman Act (397.6793) or substance use disorder services, a physician, a clinical psychologist, a physician assistant working under the scope of practice of the supervising physician, a psychiatric nurse, an advanced practice registered nurse, a mental health counselor, a marriage and family therapist, a master's-level-certified addictions professional for substance abuse services, or a clinical social worker may execute a professional's certificate with a statement that the person has been examined and assessed within the preceding 5 days after the application date.
- Professionals who initiate a certificate for emergency admission under 397.679 must indicate whether the person requires transportation assistance for delivery for emergency admission and specify the type of assistance necessary.
- Under 397.6798, a parent, guardian, or legal custodian may initiate a request for Involuntary assessment of a minor child by filing an application at a juvenile addiction receiving facility.

3. Protective custody by Law Enforcement Officer

A law enforcement officer may take a person who appears to meet criteria for involuntary examination (394.463) or assessment (397.675) into custody and transport him or her to the appropriate facility within the designated receiving system, executing a written report of the circumstances.

- When any law enforcement officer has custody of a person based on either noncriminal or minor criminal behavior that meets the statutory guidelines for involuntary examination pursuant to Florida Statute 394.463, the law enforcement officer shall transport the person to the appropriate facility.
- Pursuant to Florida Statute 394.462, those individuals arrested for a felony offense appearing to meet the statutory criteria delineated in Florida Statute 394 will first be processed in the same manner as any other criminal suspect. The law enforcement agency shall there after immediately notify the appropriate facility within the designated receiving system or the nearest receiving facility.

Mobile Response Teams (MRT)

Law enforcement officers responding to a mental health crisis for individuals may request the Services of the Mobile Response Team (MRT) by contacting the BayCare Behavioral Health MRT at 352-467-6529.

Mobile response services are available 24/7 by a group of mental health professionals who are trained in crisis intervention skills with a goal of diverting and/or preventing a Baker Act. Their services include evaluation and assessment, development of safety or crisis plans, supportive crisis counseling, education, development of coping skills, and linkage to appropriate resources.

Methods of Transportation

Baker Act Transportation

Hernando County Sheriff's Office is the responsible party to transport individuals who meet the criteria for Involuntary examination under Florida Statute 394.463.

An involuntary examination may be initiated by any one of the following means:

1. Ex parte order

Ex parte order issued by a circuit or county court. In those cases, law enforcement shall take the person into custody and deliver him or her to the appropriate receiving facility within the designated receiving system.

2. Professional Certificate

A law enforcement officer must take into custody the person named in the certificate and deliver him or her to the appropriate, or nearest, facility within the designated receiving system pursuant to Florida Statute 394.462 for involuntary examination.

3. Protective custody by Law Enforcement Officer

A law enforcement officer may take a person who appears to meet the criteria for involuntary examination into custody and deliver the person or have him or her delivered to an appropriate or the nearest facility within the designated receiving system pursuant to Florida Statute 394.462 for examination.

If the individual consents to assistance and does not meet criteria for involuntary custody, law enforcement may facilitate contacts with family members, friends, or service providers. Law enforcement should follow their agency policies in reference to voluntary transport.

Persons 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 Florida Statute 394 to **Springbrook Hospital located at 7007 Grove Road, Brooksville, FL 34609.**

Persons Who Are Age 17 and Under:

Persons aged 17 and under in Hernando County requiring examination in accordance with Florida Statute 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.**

Adults Who Are Currently Incarcerated

The transport plan 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.**

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.

Marchman Act Transportation

Hernando County Sheriff's Office is the responsible party to transport individuals who meet the criteria for Involuntary admission/examination.

An involuntary examination may be initiated by any one of the following means:

1. Ex parte order

Ex parte order issued by a circuit or county court. In those cases, law enforcement shall take the person into custody and deliver him or her to the appropriate receiving facility within the designated receiving system.

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.

2. Professional Certificate

A law enforcement officer must take into custody the person named in the certificate and deliver him or her to the appropriate, or nearest, facility within the designated receiving system pursuant to Florida Statute 397.6793 for involuntary examination/assessment.

3. Protective custody by Law Enforcement Officer

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. Florida Statute 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 of being 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 Florida statute 397.675 and is brought to the attention of law enforcement or is in a public place.

If the individual consents to assistance and does not meet criteria for involuntary custody, law enforcement may facilitate contacts with family members, friends, or service providers. Law enforcement shall not take the individual into custody or provide transport in a law enforcement vehicle in the absence of statutory authority.

Under exigent circumstances, a deputy may take an individual into protective custody only when the individual meets the criteria set forth in Florida Statute Chapter 397. The individual shall be transported to a hospital, licensed detoxification center, or addiction receiving facility, as permitted by statute.

Persons who are aged 18 and older

Law Enforcement will transport those individuals age 18 and older who meet the criteria described within Florida Statute 397. Hernando County does not have any Marchman Act facilities, and individuals may be transported to hospitals listed under the *Medical Stabilization & Clearance* section or to the nearest *Adult Marchman Act receiving facility*. When transporting out of the county, the *out-of-county* procedures shall be followed.

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.

Adult Marchman Act Receiving Facility

BayCare Behavioral Health Adult Treatment Center
8002 King Helie Blvd. New Port Richey, FL 34653
(727) 841-6430

Persons who are 17 and younger

In most situations, 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.

Persons age 17 and under in Hernando County requiring examination in accordance with Florida Statute 397 may be transported by the Hernando County Sheriff's Office.

Hernando County does not have any Marchman Act facilities, and individuals may be transported to hospitals listed below or to the nearest Juvenile Marchman Act receiving facility listed below. When transporting out of the county, the *out-of-county* procedures listed shall be followed.

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.

Juvenile Facility (Ages 12-17)

ACTS Adolescent Receiving Facility
3107 N. 50th Street, Unit A, Tampa, FL 33619
(813) 933-4446

Individual and Family Choice

Individuals who present themselves to a Baker Act Receiving Facility, a Marchman Act Receiving Facility, law enforcement, or an emergency care center have 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 a 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 need inpatient services, the individual is transported to the receiving facility where his/her insurance benefits cover 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.

Medical Stabilization & Clearance

When an individual being detained under the Baker Act or Marchman Act presents with an acute medical issue or a compromising level of intoxication, law enforcement may transport the individual to the nearest emergency care center for stabilization. For individuals requiring general medical evaluation or those seeking voluntary behavioral health services, Emergency Medical Services (EMS) remains the primary transportation provider. In cases where a law enforcement officer observes physical injuries or has concerns regarding the physical health impacts of substance abuse, they may exercise discretion to transport the individual to an emergency room or call for EMS assistance at the scene. Law enforcement's role in these medical situations is limited to scene safety and support unless the statutory criteria for involuntary custody are met.

If an emergency room physician determines that a hospital admission is necessary, the law enforcement officer shall notify the attending physician of the individual's involuntary status to

ensure they are evaluated for involuntary examination by a hospital physician prior to any release. Upon hospital admission for necessary medical care, the law enforcement officer has fulfilled the requirements of F.S.S. 394.463 or F.S.S. 397.6771 and F.S.S. 397.6772, and law enforcement custody is effectively terminated. Following medical clearance or stabilization, the medical facility is responsible for determining the appropriate Baker Act receiving facility and arranging the subsequent transportation to that destination.

General interfacility transportation must be coordinated and arranged by the transferring facility; hospitals and other medical providers shall not utilize law enforcement as a default transport mechanism for behavioral health patients.

Hernando County Sheriff's Office's responsibility for inter-facility transport is strictly limited to individuals who have pending criminal charges or are deemed an active "*threat*." For "jail-hold" patients who have been booked prior to treatment, receiving facilities must notify the Hernando County Sheriff's Office to arrange transport back to the jail upon completion of treatment. Conversely, if a jail-hold patient at a receiving facility requires medical attention, the facility must coordinate secure transport to the hospital with the Hernando County Sheriff's Office.

Law enforcement will respond to requests from non-hospital facilities, such as nursing homes or assisted living facilities (ALFs), to conduct an independent assessment of an individual's status. Transportation from these settings will only occur if the individual meets the specific statutory criteria for involuntary examination under F.S.S. 394 or F.S.S. 397. In cases where criteria are not met, the law enforcement officer may request EMS assistance if clinically appropriate, but they are prohibited from providing transport for voluntary evaluations or treatment absent statutory authority. All community partners will utilize established medical exclusionary guidelines to ensure that patients are placed in the most appropriate inpatient or hospital setting based on their clinical and public safety needs.

Springbrook Hospital

7007 Grove Road, Brooksville, FL 34609
(352) 290-5735

Tampa General Hospital

17240 Cortez Blvd, Brooksville, FL

Tampa General Hospital

10461 Quality Drive, Spring Hill, FL

HCA Florida Oak Hill Hospital

11375 Cortez Blvd, Brooksville, FL

Out of County Transports

When a Marchman Act receiving facility is located outside Hernando County, transportation responsibilities should be coordinated with the receiving facility whenever feasible.

Law enforcement transport outside the county should be limited to circumstances involving valid court orders, confirmed bed availability, and when no reasonable alternative transportation arrangements exist. Consideration shall be given to deputy availability, call load, distance, and transport time.

Absent exigent circumstances or a court order, law enforcement shall not transport individuals to a facility that has not confirmed acceptance.

Baker Act and 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 patients' 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
- Tampa General Hospital, Brooksville
- Tampa General Hospital, 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

Public Safety Coordinating Council:

The purpose of the Hernando County Public Safety Coordinating Council per F.S. 394.657 is to plan, implement, or expand initiatives that increase public safety, avert increased spending on criminal justice, and improved the accessibility and effectiveness of treatment services for adults and juveniles who have a mental illness, substance abuse disorder or co-occurring mental health and substance abuse disorder and who are in or at risk of entering the criminal or juvenile justice systems and to make formal recommendation to the Hernando County Board of County Commissioners regarding how Criminal Justice Mental Health and Substance Abused Reinvestment Grants programs may be best implemented with Hernando County and to prepare applications on behalf of the county. The council meets quarterly to assess mental health and substance abuse programs, initiatives and their effectiveness.

The Public Safety Coordinating Council 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
- State Attorney, Fifth Judicial Circuit
- Public Defender, Fifth Judicial Circuit
- Court Administration, Fifth Judicial Circuit
- State Probation, Fifth Judicial Circuit
- MidFlorida Homeless Coalition
- Hernando County Fire/EMS
- Hernando Community Coalition
- NAMI Hernando

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

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 the Public Safety Coordinating Council will ensure 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.

The committee shall review transportation utilization to ensure appropriate use of resources and alignment with statutory authority.

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 parties involved 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 parties involved, 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) are responsible for providing oversight to the Baker Act System in Hernando County. The Department monitors this transportation plan 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, Florida Statute 397.

Designated Receiving Facility (Florida Statute 394.455)

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.

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.

Threat

“Threat” for purposes of law enforcement transport between facilities shall mean: articulated intent to harm self or others; demonstrated violent behavior; or behavior that presents an immediate safety risk requiring law enforcement presence.

2027-2030 Transportation Plan Approved:

Jerry Campbell, Chairman
Hernando County
Board of County Commissioners

Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: James Hardison

County Attorney's Office