

CHAPTER 2024-12

Committee Substitute for Senate Bill No. 330

An act relating to behavioral health teaching hospitals; creating part VI of ch. 395, F.S., entitled “Behavioral Health Teaching Hospitals”; creating s. 395.901, F.S.; defining terms; providing legislative findings and intent; creating s. 395.902, F.S.; authorizing hospitals to apply for a behavioral health teaching hospital designation beginning on a specified date; specifying criteria a hospital must meet to receive such designation; notwithstanding such criteria, requiring the Agency for Health Care Administration to designate specified existing hospitals as behavioral health teaching hospitals; requiring such hospitals to meet the designation criteria within a specified timeframe; authorizing the agency to designate additional behavioral health teaching hospitals that meet the designation criteria; requiring the agency to award behavioral health teaching hospitals certain funds upon their designation; requiring designated behavioral health teaching hospitals to submit an annual report to the agency and the Department of Children and Families; specifying requirements for the report; providing for expiration and renewal of behavioral health teaching hospital designations; authorizing the agency to deny, revoke, or suspend a designation at any time under certain circumstances; authorizing the agency to adopt rules; creating s. 395.903, F.S.; establishing a grant program within the agency for the purpose of funding designated behavioral health teaching hospitals; providing an administrative process to receive, evaluate, and rank applications that request grant funds; authorizing the agency to submit a budget amendment to the Legislature requesting the release of grant funds to make awards; providing a carry forward for a specified period for obligated funds not disbursed in the same year in which the funds were appropriated; authorizing the agency to adopt rules; amending s. 409.909, F.S.; authorizing certain residency positions to be allocated for designated behavioral health teaching hospitals; amending s. 1004.44, F.S.; establishing the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute for a specified purpose; specifying the goals and duties of the center; authorizing the center to convene groups to assist in its work; authorizing the center to request, and requiring certain boards to provide, certain information regarding behavioral health professionals licensed or practicing in this state; requiring the center to submit an annual report of certain information to the Governor and the Legislature; requiring the Board of Governors of the State University System and the State Board of Education, in consultation with the center, to adopt certain regulations and rules, as applicable; requiring the Department of Children and Families to contract for a specified study of the state’s forensic, voluntary and involuntary civil commitment, and statewide inpatient psychiatric programs; requiring that the study be completed by a specified date and include specified

information and recommendations; providing appropriations; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Part VI of chapter 395, Florida Statutes, consisting of ss. 395.901, 395.902, and 395.903, Florida Statutes, is created and entitled “Behavioral Health Teaching Hospitals.”

Section 2. Section 395.901, Florida Statutes, is created to read:

395.901 Definitions; legislative findings and intent.—

(1) DEFINITIONS.—As used in this part, the term:

(a) “Agency” means the Agency for Health Care Administration.

(b) “Behavioral health” means the prevention and treatment of, and recovery from, any substance use disorder, mental health disorder, or co-occurring disorder.

(c) “Behavioral health professions” means licensed or certified professionals serving the needs of patients with behavioral health disorders, including, but not limited to, psychiatrists licensed under chapter 458 or chapter 459, psychologists licensed under chapter 490, psychiatric nurses licensed under chapter 464, and social workers, marriage and family therapists, and mental health counselors licensed under chapter 491.

(d) “Behavioral health teaching hospital” means a hospital licensed under this chapter and designated as a behavioral health teaching hospital by the agency under s. 395.902.

(e) “Department” means the Department of Children and Families.

(2) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that there is a critical shortage of behavioral health professionals and recognizes the urgent need to expand the existing behavioral health workforce, prepare for an aging workforce, incentivize entry into behavioral health professions, and train a modernized workforce in innovative integrated care.

(b) The Legislature finds that there is a specific need to support a behavioral health education system that not only trains the next generation of professionals in innovative and integrated care for those with behavioral health needs, but also works to modernize the state’s overall behavioral health system of care.

(c) The Legislature intends to identify and designate multiple behavioral health teaching hospitals that work to provide the necessary research,

education, and services to enhance the state's behavioral health workforce and make that workforce and system of care the national standard.

(d) The Legislature intends to create the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute at the University of South Florida to address issues of workforce supply and demand in behavioral health professions, including issues of recruitment, retention, and workforce resources.

(e) The Legislature intends for designated behavioral health teaching hospitals to:

1. Conduct state-of-the-art behavioral health research.
2. Provide leading-edge education and training in innovative and integrated care for the state's behavioral health workforce.
3. Collaborate with other university colleges and schools of medicine, nursing, psychology, social work, public health, and other relevant disciplines to promote and enhance a modernized behavioral health system of care.
4. Develop, implement, and promote public-private partnerships throughout this state to support and enhance the intent of this part.
5. Partner with the state to provide behavioral health care, address regional and systemwide behavioral health needs, and support the state in providing treatment and care for those whose need and acuity has resulted in the need for long-term voluntary services or involuntary civil commitment.

Section 3. Section 395.902, Florida Statutes, is created to read:

395.902 Behavioral health teaching hospitals.—

(1) Beginning July 1, 2025, a licensed hospital may apply to the agency for designation as a behavioral health teaching hospital by submitting a form furnished by the agency and providing documentation establishing eligibility.

(2) To be designated as a behavioral health teaching hospital, a hospital must meet all of the following criteria:

(a) Operate as a teaching hospital as defined in s. 408.07.

(b) Offer a psychiatric residency program accredited through the Residency Review Committee of the Accreditation Council of Graduate Medical Education and offer, or have filed an application for approval to establish, an accredited postdoctoral clinical psychology fellowship program.

(c) Provide behavioral health services.

(d) Establish and maintain an affiliation with a university in this state with one of the accredited Florida-based medical schools listed under s. 458.3145(1)(i)1.-6., 8., or 10., to create and maintain integrated workforce development programs for students of the university's colleges or schools of medicine, nursing, psychology, social work, or public health related to the entire continuum of behavioral health care, including, at a minimum, screening, therapeutic and supportive services, community outpatient care, crisis stabilization, short-term residential treatment, and long-term care. Notwithstanding paragraphs (4)(b) and (c), a university may affiliate with only one hospital.

(e) Develop a plan to create and maintain integrated workforce development programs with the affiliated university's colleges or schools and to supervise clinical care provided by students participating in such programs.

(3) A designated behavioral health teaching hospital must:

(a) Within 90 days after receiving the designation, develop and maintain a consultation agreement with the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute to establish best practices related to integrated workforce development programs for the behavioral health professions.

(b) Collaborate with the department and managing entities as defined in s. 394.9082(2) to identify gaps in the regional continuum of behavioral health care which are appropriate for the behavioral health teaching hospital to address, either independently or in collaboration with other organizations providing behavioral health services, and which will facilitate implementation of the plan developed under paragraph (2)(e).

(c) Within 90 days after receiving the designation, enter into an agreement with the department to provide state treatment facility beds when determined necessary by the department.

(d) Provide data related to the hospital's integrated workforce development programs and the services provided by the hospital to the agency, the department, and the Office of Reimagining Education and Career Help created under s. 14.36, as determined by the agency, department, or the office.

(4) Notwithstanding subsections (1) and (2), within 30 days after this act becomes a law, the agency shall designate the following hospitals as behavioral health teaching hospitals:

(a) Tampa General Hospital, in affiliation with the University of South Florida.

(b) UF Health Shands Hospital, in affiliation with the University of Florida.

(c) UF Health Jacksonville, in affiliation with the University of Florida.

(d) Jackson Memorial Hospital, in affiliation with the University of Miami.

Within 90 days after receiving the designation, each behavioral health teaching hospital designated under this subsection shall submit documentation to the agency establishing compliance with the requirements of paragraphs (2)(a)-(d) and submit the plan required by paragraph (2)(e).

(5) Beginning July 1, 2025, the agency may designate additional behavioral health teaching hospitals which meet the criteria of subsection (2).

(6) Upon designating a behavioral health teaching hospital under this section, the agency shall award the hospital funds as follows:

(a) For up to 10 resident positions through the Slots for Doctors Program established in s. 409.909. Notwithstanding that section, the agency shall allocate \$150,000 for each such position.

(b) Through the Training, Education, and Clinicals in Health Funding Program established in s. 409.91256 to offset a portion of the costs of maintaining integrated workforce development programs.

(7) By December 1 of each year, a designated behavioral health teaching hospital must submit a report to the agency and the department on the designated behavioral health teaching hospital program, including, but not limited to, all of the following:

(a) The number of psychiatric residents.

(b) The number of postdoctoral clinical psychology fellows.

(c) The status and details of the consultation agreement with the Florida Center for Behavioral Health Workforce within the Louis de la Parte Florida Mental Health Institute.

(d) The implementation status of the plan required by paragraph (2)(e).

(e) Activities, agreements, and accomplishments of the collaboration required by paragraph (3)(b).

(f) The number of any facility beds and patients served under paragraph (3)(c).

(8) A behavioral health teaching hospital designation is valid for 2 years. To renew the designation, a hospital must submit an application for renewal to the agency on a form established by the agency at least 90 days before the expiration of the designation. The renewal process is subject to the time periods and tolling provisions of s. 120.60. The agency may deny, revoke, or suspend a designation at any time if a behavioral health teaching hospital is not in compliance with the requirements of this section.

(9) The agency may adopt rules necessary to implement this section.

Section 4. Section 395.903, Florida Statutes, is created to read:

395.903 Behavioral Health Teaching Hospital grant program.—

(1) There is established within the agency a grant program for the purpose of funding designated behavioral health teaching hospitals, subject to legislative appropriation. Grant funding may be used for operations and expenses and for fixed capital outlay, including, but not limited to, facility renovation and upgrades.

(a)1. For the 2024-2025 fiscal year, the agency shall hold a 30-day, open application period beginning November 1, 2024, to accept applications from the behavioral health teaching hospitals designated under s. 395.902(4), in a manner determined by the agency. Applicants must include a detailed spending plan with the application.

2. For the 2025-2026 and 2026-2027 fiscal years, the agency shall hold a 30-day, open application period beginning October 1 of each year to accept applications from behavioral health teaching hospitals designated under s. 395.902, in a manner determined by the agency. Applicants must include a detailed spending plan with the application. On or before January 1, 2025, and January 1, 2026, hospitals desiring to apply for designation in the next fiscal year shall submit letters of intent to the agency.

(b) The agency, in consultation with the department, shall evaluate and rank grant applications based on compliance with s. 395.902(2) and the quality of the plan submitted under s. 395.902(2)(e) or plan implementation, as applicable, related to achieving the purposes of the behavioral health teaching hospital program. The agency, in consultation with the department, shall make recommendations for grant awards and distribution of available funding for such awards. The agency shall submit the evaluation and grant award recommendations to the President of the Senate and the Speaker of the House of Representatives within 90 days after the open application period closes.

(c) Notwithstanding ss. 216.181 and 216.292, the agency may submit budget amendments, subject to the notice, review, and objection procedures under s. 216.177, requesting the release of the funds to make awards. The agency is authorized to submit budget amendments relating to expenses under subsection (1) under the grant program only within the 90 days after the open application period closes.

(2) Notwithstanding s. 216.301 and pursuant to s. 216.351, the balance of any appropriation from the General Revenue Fund for the program which is not disbursed but which is obligated pursuant to contract or committed to be expended by June 30 of the fiscal year for which the funds are appropriated may be carried forward for up to 8 years after the effective date of the original appropriation.

(3) The agency may adopt rules necessary to implement this section.

Section 5. Effective July 1, 2025, subsection (6) of section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(6) The Slots for Doctors Program is established to address the physician workforce shortage by increasing the supply of highly trained physicians through the creation of new resident positions, which will increase access to care and improve health outcomes for Medicaid recipients.

(a) Notwithstanding subsection (4), the agency shall annually allocate \$100,000 to hospitals, and qualifying institutions, and behavioral health teaching hospitals designated under s. 395.902, for each newly created resident position that is first filled on or after June 1, 2023, and filled thereafter, and that is accredited by the Accreditation Council for Graduate Medical Education or the Osteopathic Postdoctoral Training Institution in an initial or established accredited training program which is in a physician specialty or subspecialty in a statewide supply-and-demand deficit.

(b) This program is designed to generate matching funds under Medicaid and distribute such funds to participating hospitals, and qualifying institutions, and behavioral health teaching hospitals designated under s. 395.902, on a quarterly basis in each fiscal year for which an appropriation is made. Resident positions created under this subsection are not eligible for concurrent funding pursuant to subsection (1).

(c) For purposes of this subsection, physician specialties and subspecialties, both adult and pediatric, in statewide supply-and-demand deficit are those identified as such in the General Appropriations Act.

(d) Funds allocated pursuant to this subsection may not be used for resident positions that have previously received funding pursuant to subsection (1).

Section 6. Subsections (6) and (7) are added to section 1004.44, Florida Statutes, to read:

1004.44 Louis de la Parte Florida Mental Health Institute.—There is established the Louis de la Parte Florida Mental Health Institute within the University of South Florida.

(6)(a) There is established within the institute the Florida Center for Behavioral Health Workforce. The purpose of the center is to support an adequate, highly skilled, resilient, and innovative workforce that meets the current and future human resources needs of the state's behavioral health system in order to provide high-quality care, services, and supports to Floridians with, or at risk of developing, behavioral health conditions through original research, policy analysis, evaluation, and development and dissemination of best practices. The goals of the center are, at a minimum, to

research the state's current behavioral health workforce and future needs; expand the number of clinicians, professionals, and other workers involved in the behavioral health workforce; and enhance the skill level and innovativeness of the workforce. The center shall, at a minimum, do all of the following:

1. Describe and analyze the current workforce and project possible future workforce demand, especially in critical roles, and develop strategies for addressing any gaps. The center's efforts may include, but need not be limited to, producing a statistically valid biennial analysis of the supply and demand of the behavioral health workforce.

2. Expand pathways to behavioral health professions through enhanced educational opportunities and improved faculty development and retention. The center's efforts may include, but need not be limited to:

a. Identifying best practices in the academic preparation and continuing education of behavioral health professionals.

b. Facilitating and coordinating the development of academic-practice partnerships that support behavioral health faculty employment and advancement.

c. Developing and implementing innovative projects to support the recruitment, development, and retention of behavioral health educators, faculty, and clinical preceptors.

d. Developing distance learning infrastructure for behavioral health education and the evidence-based use of technology, simulation, and distance learning techniques.

3. Promote behavioral health professions. The center's efforts may include, but need not be limited to:

a. Conducting original research on the factors affecting recruitment, retention, and advancement of the behavioral health workforce, such as designing and implementing a longitudinal study of the state's behavioral health workforce.

b. Developing and implementing innovative projects to support the recruitment, development, and retention of behavioral health workers.

(b) The center may:

1. Convene groups, including, but not limited to, behavioral health clinicians, professionals, and workers, and employers of such individuals; other health care providers; individuals with behavioral health conditions and their families; business and industry leaders, policymakers, and educators to assist the center in its work; and

2. Request from any board as defined in s. 456.001 any information held by the board regarding a behavioral health professional licensed in this state or holding a multistate license pursuant to a professional multistate licensure compact or information reported to the board by employers of such behavioral health professionals, other than personal identifying information. The boards must provide such information to the center upon request.

(c) By January 10 of each year, the center shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing details of its activities during the preceding calendar year in pursuit of its goals and in the execution of its duties under paragraph (a). The report submitted in 2025 must include an initial statewide strategic plan for meeting the goals in subsection (6), which must be updated in each subsequent report.

(7) The Board of Governors and the State Board of Education, in consultation with the center, shall expeditiously adopt any necessary regulations and rules, as applicable, to allow the center to perform its responsibilities under subsection (6) as soon as practicable.

Section 7. Effective upon this act becoming a law, the Department of Children and Families must contract for a detailed study of capacity for inpatient treatment services for adults with serious mental illness and children with serious emotional disturbance or psychosis in this state's forensic inpatient, safety-net voluntary and involuntary civil inpatient placement, and Medicaid statewide inpatient psychiatric programs. The study must include analyses of current capacity, current and projected future demand, and the state's current and projected future ability to meet that demand, and must include recommendations for enhancing the availability of inpatient treatment services and for providing alternatives to such services. The study must be completed by January 31, 2025, and must include, at a minimum, all of the following:

(1) By facility and by program type, the current number and allocation of beds for inpatient treatment, the number of individuals admitted and discharged annually, and the lengths of stays.

(2) By department region, the current number and allocation of beds in receiving, treatment, and state treatment facilities and residential treatment centers for children and adolescents for inpatient treatment between forensic and civil placements, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays.

(3) By department region, the current and projected future demand for civil and forensic inpatient placements at receiving, treatment, and state treatment facilities and residential treatment centers for children and adolescents, any gaps in current and projected future availability of these services compared to current and projected future service demand, and the

number of inpatient beds needed by facility type and placement type to meet current and projected future demand.

(4) By agency region, the number of individuals admitted and discharged annually, the types and frequency of diagnoses, and the lengths of stays for Medicaid statewide inpatient psychiatric program services, the current and projected future demand for these services, any gaps in current and projected future availability of these services compared to current and projected future service demand, and the number of inpatient beds needed by facility type to meet current and projected future demand.

(5) Policy recommendations for ensuring sufficient bed capacity for inpatient treatment at treatment facilities, state treatment facilities, or receiving facilities, or at residential treatment centers for children and adolescents, and for enhancing services that could prevent the need for involuntary inpatient placements.

(6) A gap analysis as recommended by the Commission on Mental Health and Substance Use Disorder in the annual interim report dated January 1, 2024.

Section 8. For the 2024-2025 fiscal year, the sum of \$5 million in recurring funds from the General Revenue Fund is appropriated to the Louis de la Parte Florida Mental Health Institute for the operation of the Florida Center for Behavioral Health Workforce as created by this act.

Section 9. For the 2024-2025 fiscal year, the sums of \$2,557,800 in recurring funds from the General Revenue Fund and \$3,442,200 in recurring funds from the Medical Care Trust Fund are appropriated to the Agency for Health Care Administration for the Slots for Doctors Program established in s. 409.909, Florida Statutes, for up to 10 newly created resident positions for each designated behavioral health teaching hospital designated under s. 395.902(4), Florida Statutes, as created by this act. Notwithstanding s. 409.909, Florida Statutes, the agency shall allocate \$150,000 for each newly created position.

Section 10. For the 2024-2025 fiscal year, the sum of \$2 million in recurring funds from the General Revenue Fund is appropriated to the Agency for Health Care Administration to implement the Training, Education, and Clinicals in Health (TEACH) Funding Program established in s. 409.91256, Florida Statutes, as created by SB 7016, 2024 Regular Session. Notwithstanding s. 409.91256(5)(b), Florida Statutes, as created by SB 7016, 2024 Regular Session, the funds appropriated under this section shall be equally distributed to the behavioral health teaching hospitals designated under s. 395.902(4), Florida Statutes, as created by this act.

Section 11. For the 2024-2025 fiscal year, the nonrecurring sum of \$300 million from the General Revenue Fund is appropriated to the Agency for Health Care Administration for the behavioral health teaching hospital grant program as created in s. 395.903, Florida Statutes. Grant funds shall

be awarded over a 3-year period. Notwithstanding s. 216.301, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, funds appropriated for this purpose which are not disbursed by June 30 shall be carried forward for up to 8 years after the effective date of the original appropriation.

(1) For the 2024-2025 fiscal year, the Agency for Health Care Administration is authorized to award grants in an amount not to exceed \$100 million to the behavioral health teaching hospitals designated under s. 395.902(4), Florida Statutes, as created by this act.

(2) For the 2025-2026 fiscal year, the Agency for Health Care Administration is authorized to award grants in an amount not to exceed \$100 million to behavioral health teaching hospitals designated under s. 395.902, Florida Statutes, as created by this act.

(3) For the 2026-2027 fiscal year, the Agency for Health Care Administration is authorized to award grants up to the amount of the original appropriation which has not yet been awarded as of June 30, 2026, to behavioral health teaching hospitals designated under s. 395.902, Florida Statutes, as created by this act.

Section 12. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2024.

Approved by the Governor March 21, 2024.

Filed in Office Secretary of State March 21, 2024.