

# Statewide Drug Policy Advisory Council (DPAC)

## Public Meeting



Public Meeting Book

December 10, 2024

**Mission:**

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



**Ron DeSantis**  
Governor

**Joseph A. Ladapo, MD, PhD**  
State Surgeon General

**Vision:** To be the **Healthiest State** in the Nation

## Statewide Drug Policy Advisory Council (DPAC) Meeting

**December 10, 2024**  
**1 p.m. EST**

Location: 4052 Bald Cypress Way, Conference Room 301, Tallahassee, Florida

Meeting details can be found at [FloridaHealth.gov/DPACMeeting](https://FloridaHealth.gov/DPACMeeting)

### AGENDA

Topic	Topic Facilitator / Presenter
Welcome and Opening Remarks	Joseph A. Ladapo, MD, PhD State Surgeon General Florida Department of Health
Approval of August 28, 2024, Meeting Minutes	DPAC Members
Presentation on the Baker Act and Marchman Act	Tiffani Burgess, MBA Government Operations Consultant Office of Substance Abuse and Mental Health Florida Department of Children and Families
Agency and Member Updates	DPAC Members
Public Comment	
Next Steps and Adjournment	Joseph A. Ladapo, MD, PhD State Surgeon General Florida Department of Health





## Statewide Drug Policy Advisory Council Meeting Minutes

Wednesday, August 28, 2024

2:00 p.m. EST

Hybrid

### Welcome/Introductions:

Joseph A. Ladapo, MD, PhD, State Surgeon General, opened the Statewide Drug Policy Advisory Council (Council) meeting. Dr. Ladapo thanked all members of the Council, designated appointees, and other participants for their continued partnership in this critical work. Introduction of new members and roll call was completed by advisory staff.

### The following members or designees were in attendance:

- Joseph A. Ladapo, MD, PhD, State Surgeon General, Florida Department of Health (DOH)
- Joe Spataro for Ashley Moody, Office of the Attorney General (OAG)
- Linda Pollard for Commissioner Mark Glass, Special Agent Supervisor, Florida Department of Law Enforcement (FDLE)
- Jeffrey Cece, MS, CPM for Shevaun Harris, Department of Children and Families (DCF)
- Joy Bennink for Secretary Dr. Eric Hall, Department of Juvenile Justice (DJJ)
- Jonathan Stephens for Commissioner Manny Diaz, Jr., Department of Education (DOE)
- Amy Vanness for Ricky Dixon, Department of Corrections (DOC)
- Doug Simon, Office of Policy and Budget (OBP)
- Captain Ryan Martina for Dave Kerner, Department of Highway Safety and Motor Vehicles (DHSMV)
- Captain David Rodriguez for Major General John Haas, Department of Military Affairs (DMA)
- Sheriff Peyton Grinnell, Governor Appointee: Drug Enforcement, Lake County Sheriff's Office
- Colonel Chris Rule for Sheriff Chad Chronister, Governor Appointee: Expertise in Drug Enforcement and Substance Abuse Programs and Services, Hillsborough County Sheriff's Office
- Sheriff Chris Nocco, Governor Appointee: Expertise in Drug Enforcement and Substance Abuse Services, Pasco Sheriff's Office
- Aaron Gerson for Judge Steve Leifman, 11th Judicial Circuit Court of Florida
- Peggy Sapp, Governor Appointee: Substance Abuse Prevention, Informed Families
- Melanie Brown-Woofter, Governor Appointee: Substance Abuse Treatment, Florida Behavioral Health Association
- Dean Inserra, Governor Appointee: Faith-Based Substance Abuse Treatment, City Church Tallahassee

### Guests and Staff:

L. Barkdale, Florida National Guard	Yolanda Bonds, DOH
Steven Broadway, DCF	Sabrina Brown, DCF
Melissa Bujeda, FDLE	Jeanette Cherubini, DCF
Jon Conley, DOH	Mackenna Davis, Cynergy Consulting LLC
David Devries, DCF	Maggie Dilger, DOH
Christina During, DOH	Jesseka Forbes, Agency for Health Care Administration (AHCA)
Nichole Fusilier, DCF	Andrew Harrell, DJJ
Melissa Jordan, DOH	Dr. Brett Kirkland, FDLE
Megan Neel, DLE	Tina Pettinghill, Groups Recover Together
Concha Prieto, DCF	Amanda Regis, DCF
Daniel Rocha, DOH	Dr. Kay Roussos-Ross, University of Florida
Anna Simmons, DOH	William Young, DHSMV

## Opening Remarks:

Dr. Ladapo highlighted the work of the Council and noted National Overdose Awareness Week as well as the Coordinated Opioid Recovery (CORE) Network Program.

## Business

### 1. Approval of Meeting Minutes:

Joseph Spataro motioned to approve the May 22, 2024, meeting minutes. Jonathan Stephens seconded the motion. All in favor. The minutes were approved.

### 2. Presentations:

#### a. 2023 Interim Report on Drugs Identified in Deceased Persons – Brett Kirkland, PhD, FDLE

##### Key trends from the Florida Medical Examiner's Report:

- Total drug-related deaths dropped by 533 (7%) compared to the first half of 2022.
- Opioid-related deaths decreased by 470 (11%), while opioid-caused deaths decreased by 321 (10%).
- Prescription drug-related deaths, defined as persons who died with one or more prescription drugs present, declined by 485 (10%) to 4,241. A total of 2,836 individuals died with at least one prescription drug in their system that was identified as the cause of death, down by 301 deaths (10%).

##### Additional findings:

- Cathinones occurrences increased by 221 (105%) and there were 148 more deaths (101% increase), primarily involving N,N-Dimethylpentylone and its metabolite.
- Gabapentin occurrences decreased by 10%, mitragynine by 8%.
- There were 10 occurrences of difluoroethane and 278 of xylazine in January–June 2023.

#### b. Treatment of Opioid Use Disorder in Pregnancy – Kay Roussos-Ross, MD, University of Florida

Dr. Roussos-Ross highlighted that mental health conditions, including suicide and substance use-related deaths, are the leading cause of pregnancy-related deaths, with 100% of these deaths deemed preventable. Key recommendations include:

- **Screening:** Universal screening for substance use is recommended as all women are at risk. Pregnant women dependent on opioids should be treated with agonist medications (methadone or buprenorphine) rather than withdrawal or abstinence, which may harm the fetus.
- **Treatment:**
  - **Opioid-Assisted Treatment:** Methadone/buprenorphine reduces illicit opioid use, risky behaviors, and HIV transmission. Patients on these treatments have a 70% lower mortality rate than untreated opioid users.
    - **Methadone:** Long half-life, high bioavailability, potential sedation, and respiratory depression with repeated doses.
    - **Buprenorphine:** Partial mu agonist, lowers risk of overdose, less respiratory depression.
  - **Medically Supervised Withdrawal:** Abrupt opioid cessation during pregnancy is not recommended due to risks like preterm labor, fetal distress, and relapse. Withdrawal should be managed slowly, preferably inpatient.
- **Postpartum Care:** Continuous medical care is vital in the 'fourth trimester' (up to a year after childbirth) as postpartum depression affects up to 15% of mothers, with higher rates in minorities and those in poverty.

Access to treatment facilities and postpartum psychosocial support as well as family planning should be provided.

### **3. Review and Updates of Recommendations 7-10**

- a. Recommendation 7:** Live Healthy Act was passed and is being implemented, and DCF will provide an update on Opioid Settlement funds.
- b. Recommendation 8:** The addition of Council members representing AHCA and the Office of Insurance Regulation is still recommended.
- c. Recommendation 9:** The Department of Children and Families will send Council staff information on the statewide Recovery Oriented System of Care.
- d. Recommendation 10:** Continue to support and monitor the implementation of the Baker and Marchman Act laws.

### **4. Adjournment:**

Dr. Ladapo asked for a motion to adjourn the meeting. Melanie Brown-Woofter made the motion; the motion was seconded and approved by the Council. The meeting adjourned at 3:21 p.m. EST.



# Baker Act and Marchman Act Legislative Updates

Tiffani Burgess, MBA  
Office of Substance Abuse and Mental Health  
Department of Children and Families

December 10, 2024

# Baker Act and Marchman Act History

## The Baker Act

- Provides short term emergency psychiatric evaluation, treatment and stabilization.
- Passed into law in 1971 and sponsored by Maxine Baker.
- Florida Legislature enacted Chapter 394 which governs the Mental Health law.

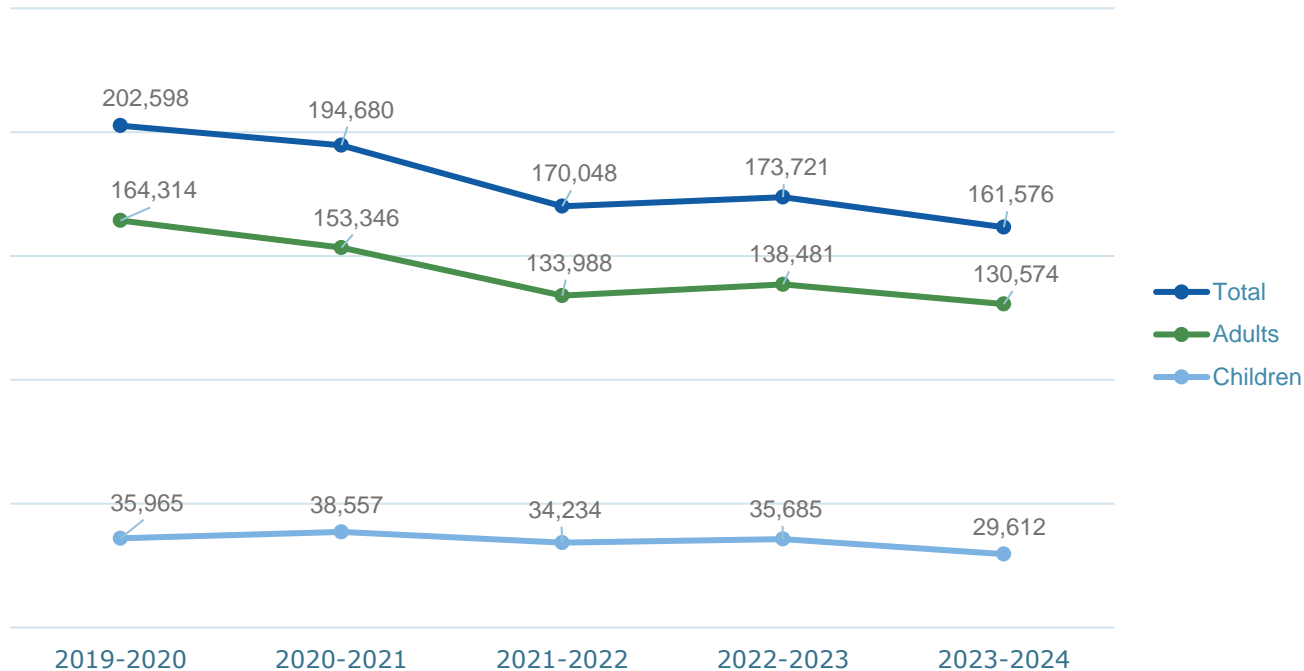
## The Marchman Act

- Addresses individuals who are severely impaired due to substance abuse.
- Enacted Chapter 397 - Treatment and Rehabilitation of Drug Dependents in 1970.
- 1993 legislation combined Chapters 396 and 397 to a single law.
- Named the Hal S. Marchman Alcohol and Other Drug Services Act of 1993.



# Baker Act Data Overview

# of Involuntary Examinations for the Past 5 Years for All Ages Total, Adults, and Children by Fiscal Year



- Decrease of 20% over the past five fiscal years.
- Approx. 100 designated Baker Act Receiving Facilities.
- Over 5,000 beds.



# Baker Act Examinations By Age Group

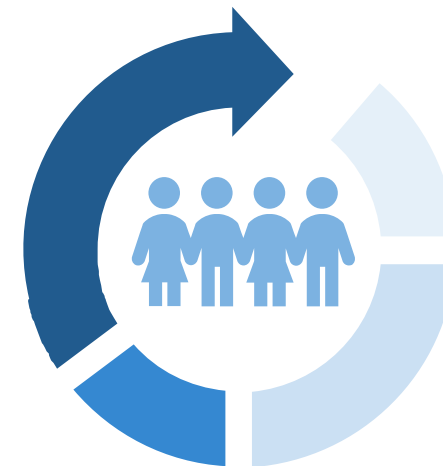
In Fiscal Year 2023-2024, there were a total of 161,576 involuntary examinations, a decrease of 7.34% (173,721) from Fiscal Year 2022-2023.



**73.58%**  
Adults 18 - 64



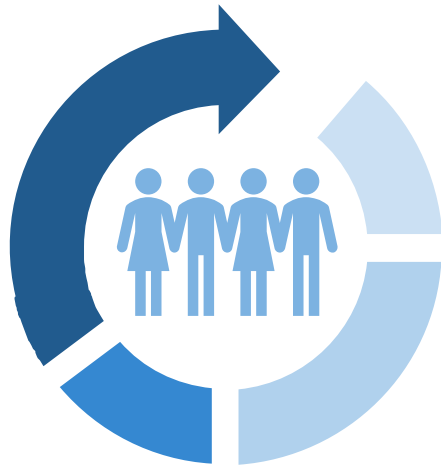
**7.22%**  
Older Adults  
65+



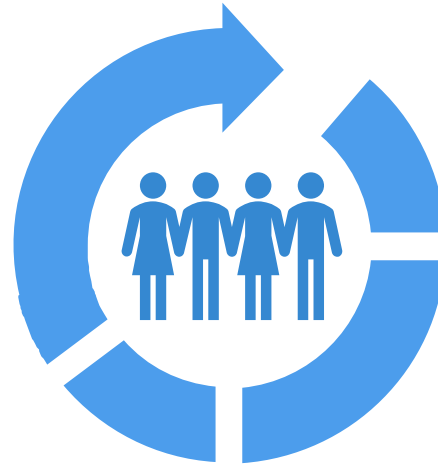
**18.33%**  
Children <18

# Marchman Act Data

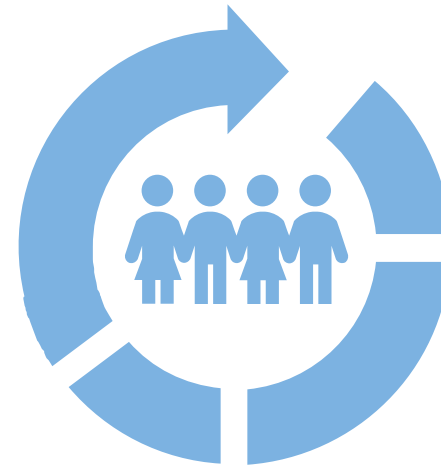
In Fiscal Year 2023-2024, there were a total of **9,946\*** court orders for Marchman Act.



**4,839**  
Dismissed  
before hearing

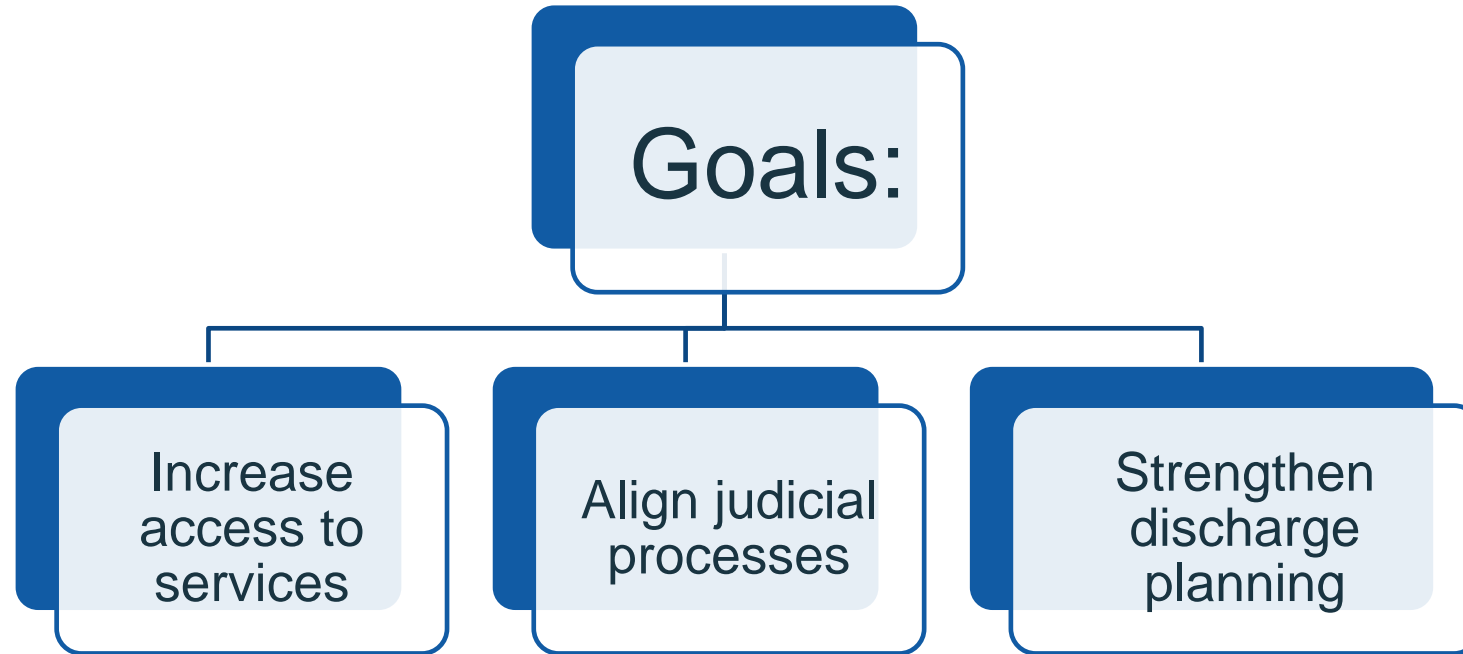


**4,925**  
Dismissed by  
judge



**75**  
Cases closed  
by non-jury trial

# House Bill 7021



# House Bill 7021

- 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 of Children and Families (Department).
- Requires the Department and the Agency for Health Care Administration to establish regional collaboratives.



## **Appropriation:**

- ❑ \$50 million to the Department to implement provisions of the bill.

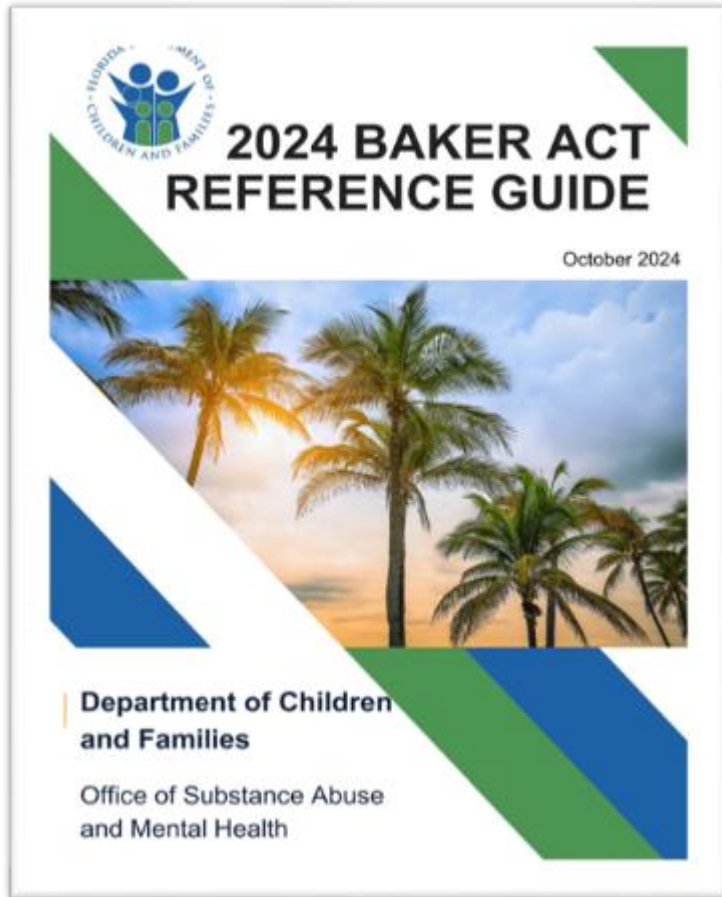


# Senate Bill 7016

- Revises the definitions of clinical psychologist to remove three years of experience requirement under the Baker Act.
- Reduces the experience requirement for psychiatric nurses from two years to one year.



# Implementation Activities



**01** Update the Baker Act Reference Guide and FAQs

**02** Training Updates

**03** Amend Administrative Rule and Associated Forms



# Baker Act Reference Guide and FAQ Update

- Annual reference guide published by October 1<sup>st</sup>.
- Clarifies the 72-hour examination period.
- Combines Involuntary Inpatient Services and Involuntary Outpatient Services to Involuntary Services.
- Updates the Baker Act FAQ.



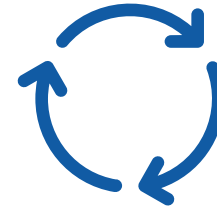
# Training Updates



Hosted Live Webinar



Updated  
Learning Management  
System (LMS)

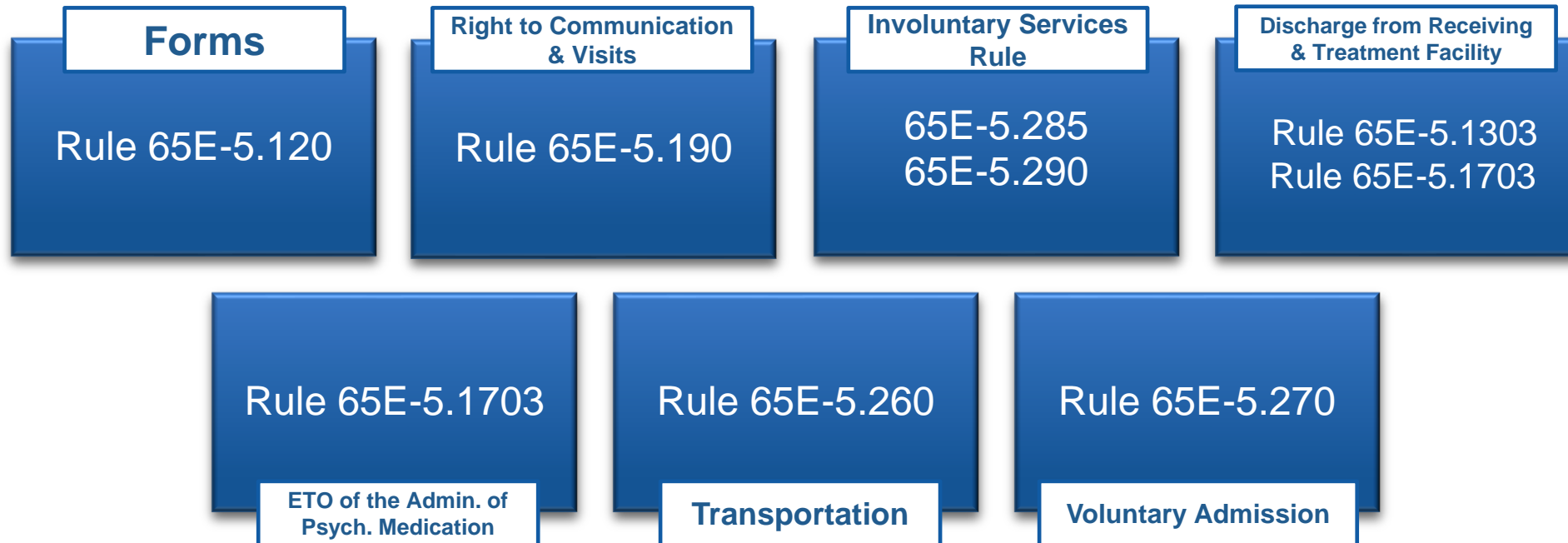


Revised Online  
Courses



Developed Substance Abuse  
and Mental Health (SAMH)  
Training

# Amend Administrative Rule and Associated Forms



# Resources

[FADAA Webinar](#)

[2024 Baker Act Manual](#)

[Baker Act FAQs](#)





**QUESTIONS?**

