Outpatient Forensic Mental Health Services

Requirement: Chapter 916, F.S.

Children & Families Operating Procedures (CFOP) 155-12, 13, 16, 17, 18, 19, 22, 27, 35, 38, 45, 47, 48, 56

Frequency: Ongoing

Due Date: Ongoing

This guidance indicates the primary responsibilities and duties the Network Service Provider shall comply with as it relates to Outpatient Forensic Mental Health Services. For the purposes of this guidance, “forensics” is defined as those consumers with current involvement in the criminal justice system; committed under Chapter 916, F.S.; deemed Incompetent to Proceed and/or Not Guilty by Reason of Insanity. The Forensic Mental Health Services Model is also included herein by reference for this guidance.

This guidance also identifies the role of the Forensic Specialist, defined as a staff member employed by a Network Service Provider under contract with the Managing Entity. The Forensic Specialist has oversight responsibilities for the forensic services adults receive from their contracted agency and/or in the covered circuit/counties, as applicable.

The Department CFOPs should also be consulted for details and are incorporated herein by reference; however, tracking and reporting requirements and Network Service Provider unique activities and duties are highlighted in this guidance.

Forensic Specialist Specific Tracking and Duties:

1. **Tracking Conditional Release:** The Network Service Provider’s designated Forensic Specialist is required to submit a Conditional Release Report to the Managing Entity’s Forensic Coordinator (known as the Clinical Care Support Specialist – Adult Special Populations) by the tenth (10th) calendar day of each month. The required monthly reporting, as outlined in Attachment A of Department CFOP 155-18, includes:
   a. The overall number of persons on conditional release, fiscal year to date, AND broken down as follows:
      i. Number of Incompetent to Proceed;
      ii. Number of Not Guilty by Reason of Insanity;
      iii. Number by type of placement or program (home, ALF, Residential Level 1, etc); and
      iv. Number by circuit and county of consumer’s residence.
   b. Number of those on Conditional Release who were restored to competency that month; and
   c. Number of those on Conditional Release who were determined non-restorable that month.

   **NOTE:** The Number of Incompetent to Proceed, and number of Not Guilty by Reason of Insanity should equal the number of persons on conditional release, as well the number by type of placement or program should equal the number of persons on conditional release.
Incorrect submissions will not be accepted by the Managing Entity’s Forensic Coordinator (known as the Clinical Care Support Specialist – Adult Special Populations).

The Managing Entity will notify the Network Service Provider of any incorrect submissions. The Network Service Provider has 24 hours to correct and resubmit the document for approval, to the Managing Entity via encrypted email to forensics@lsfnet.org.

2. The Network Service Provider’s Forensic Specialist shall track the release plan status of all forensic individuals referred by a forensic or civil treatment facility(s).

3. The Network Service Provider’s Forensic Specialist shall track the following diversions:
   a. Number of individuals with severe and persistent mental illnesses who are diverted from the forensic system prior to commitment;
   b. Number of individuals with severe and persistent mental illness who are diverted from the forensic system after commitment, but prior to admission; and
   c. Number of individuals served.

4. The Network Service Provider’s Forensic Specialist shall track all client level data to ensure that any legislative requests for information can be responded to in a reasonable amount of time.

5. **DOC Aftercare Referral Duties:** For those consumers that are incarcerated at a Florida Department of Correction (DOC) facility, an identified release date or end of sentence (EOS), and have been referred for aftercare services:
   a. The Network Service Provider’s Forensic Specialist, or other provider staff designee, shall log in and review the DCF SAMH Department of Correction (DOC) Aftercare and Referral site daily, to identify pending DOC aftercare referrals for appointment requests, and complete direct data entry of scheduled aftercare appointment information.
   b. The Network Service Provider is responsible for ensuring that follow up mental health service appointments are scheduled for all consumers referred, prior to their discharge from a Florida Department of Corrections (DOC) facility.
   c. These appointments should be scheduled so that the consumer can be seen by the Network Service Provider within 30 days of their release date or end of sentence (EOS).
   d. The Managing Entity will monitor and provide oversight of the Network Service Provider’s compliance and timeliness with scheduling DOC Aftercare Referral appointments.

6. **Competency Restoration Duties:** The Network Service Provider shall provide outpatient competency restoration for adults who have been deemed incompetent to proceed under the provisions of Florida Statute. Competency training shall be provided to applicable consumers, in the six competency areas:
   a. Appreciation of charges and allegations
   b. Appreciation of the range and nature of possible penalties
   c. Understanding of the adversarial nature of the legal process
   d. Capacity to disclose pertinent factors relevant to the case
   e. Ability to demonstrate appropriate courtroom behavior
   f. Capacity to testify relevantly