



SEMINOLE COUNTY SUBSTANCE ABUSE AND MENTAL HEALTH BAKER
AND HAL MARCHMAN ACT
TRANSPORTATION PLAN (2025-2028)

**DEPARTMENT OF CHILDREN AND FAMILIES CENTRAL
REGION SUBSTANCE ABUSE AND MENTAL HEALTH**

SEMINOLE COUNTY GOVERNMENT



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INTRODUCTION

In accordance with Florida Statute Chapter 394, Part 1, Florida Mental Health Act or the "Baker Act" (hereinafter referred to as the Baker Act), Florida Statute Chapter 397, Hal S. Marchman Alcohol and Other Drug Services Act of 1993 (hereinafter referred to as the Marchman Act), and more specifically, in compliance with Florida Statutes Section 394.462, **Transportation**, the instant plan has been developed to organize a system for acute care services for individuals subject to involuntary examination pursuant to the Baker Act, or involuntary admission pursuant to the Marchman Act. Upon approval, this document will serve as the transportation plan for Seminole County.

STATUTORY BACKGROUND

The Department of Children and Families is charged with the responsibility to designate and monitor receiving facilities, treatment facilities, and receiving systems. *Section 394.461 Fla. Stat.*

A transportation plan must be developed and implemented by each county describing the methods of transport to a facility within the designated receiving system for individuals subject to involuntary examination under s. 394.463 or involuntary admission under s. 397.6772, s. 397.679, s. 397.6798, or s. 397.6957, and may identify responsibility for other transportation to a participating facility when necessary and agreed to by the facility. The plan may also rely on emergency medical transport services or private transport companies, as appropriate. The plan must comply with the transportation provisions of Florida Statutes 394.461 and ss. 397.6772, 397.6795, and 397.697.

For transportation to a receiving facility within the county or portions thereof, the county is required to designate a single law enforcement agency within the county, or portions thereof, to take a person into custody upon the entry of an ex parte order or the execution of a certificate for involuntary examination by an authorized professional and to transport that person to the appropriate facility within the designated receiving system pursuant to the transportation plan. The entity providing transportation may seek reimbursement for transportation expenses. The party responsible for payment for such transportation is the person receiving the transportation. Florida Statute 394.462 sets forth the order the county must seek reimbursement for the transportation costs.

For transportation of individuals meeting the statutory guidelines for involuntary examination pursuant to s. 394.463 and initiated by law enforcement, the law enforcement agency who has custody of said person shall transport the person to the appropriate facility within the designated receiving system pursuant to the transportation plan.

Persons who meet the statutory guidelines for involuntary admission pursuant to s. 397.675 may also be transported by law enforcement officers to an appropriate facility within the designated receiving system pursuant to a transportation plan.

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, such person must first be processed in the same



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manner as any other criminal suspect. The law enforcement agency shall thereafter immediately notify the appropriate facility within the designated receiving system pursuant to a transportation plan. The receiving facility shall be responsible for promptly arranging for the examination and treatment of the person. A receiving facility is not required to admit a person charged with a crime for whom the facility determines and documents that it is unable to provide adequate security, but shall provide examination and treatment to the person where he or she is held or by telehealth.

If the appropriate law enforcement officer believes that a person has an emergency medical condition as defined in s. 395.002, the person may be first transported to a hospital for emergency medical treatment, regardless of whether the hospital is a designated receiving facility.

The appropriate facility within the designated receiving system pursuant to a transportation plan must accept persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, for involuntary examination pursuant to s. 394.463.

The appropriate facility within the designated receiving system pursuant to a transportation plan must provide persons brought by law enforcement officers, or an emergency medical transport service or a private transport company authorized by the county, pursuant to s. 397.675, a basic screening or triage sufficient to refer the person to the appropriate services.

Each law enforcement agency designated in the transportation plan must establish a policy that reflects a single set of protocols for the safe and secure transportation and transfer of custody of the person. Each law enforcement agency shall provide a copy of the protocols to the managing entity.

Regarding transportation to a treatment facility, where neither the patient nor any person legally obligated or responsible for the patient is able to pay for the expense of transporting a voluntary or involuntary patient to a treatment facility, the transportation plan established by the governing board of the county or counties must specify how the hospitalized patient will be transported to, from, and between facilities in a safe and dignified manner.

A company that transports a patient to a treatment facility is considered an independent contractor and is solely liable for the safe and dignified transportation of the patient. Such company must be insured and provide no less than \$100,000 in liability insurance with respect to the transport of patients.

County or municipal law enforcement and correctional personnel and equipment may not be used to transport patients adjudicated incapacitated or found by the court to meet the criteria for involuntary services pursuant to s. 394.467, except in small rural counties where there are no cost-efficient alternatives.

Section 394.462, Fla. Stat.



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The Department of Children and Families has designated [receiving facilities](#) and treatment facilities within regions in the State.¹ The Central Region serves the following Judicial Circuits: the Fifth (Citrus, Hernando, Lake, Marion and Sumter counties), Ninth (Orange and Osceola counties), Tenth (Hardee, Highlands and Polk counties), Eighteenth Judicial Circuit (Brevard and Seminole counties) and the Nineteenth Judicial Circuits (Indian River, St. Lucie, Martin and Okeechobee counties).² The Department of Children and Families has engaged Central Florida Cares Health System as the Regional Managing Entity to provide the administration, management support and oversight of the Department-funded behavioral health services. Access to said contract and amendments are located [here](#).

PURPOSE

This Transportation Plan is developed and implemented by Seminole County in collaboration with Central Florida Cares Health System, the Department of Children and Families, and community stakeholders, in compliance with Florida Statutes Section 394.462, **Transportation**. This Transportation Plan covers transportation by law enforcement to a facility within the designated receiving system for individuals subject to involuntary examination pursuant to the Baker Act, or involuntary admission pursuant to the Marchman Act.

Individuals meeting the criteria for involuntary assessment under a **Baker Act** as outlined below are transported by law enforcement when involuntary examinations are initiated by a circuit or county court judge via an ex parte order or those initiated by a physician, physician assistant, clinical psychologist, psychiatric nurse, advanced practice registered nurse registered under s. 464.0123, mental health counselor, marriage and family therapist, or clinical social worker (professional certificate) as well as those initiated by a law enforcement officer for a Baker Act assessment. **AGENCY DESIGNATIONS FOR ACTUAL TRANSPORT ARE SET FORTH ELSEWHERE IN THIS PLAN.**

Individuals meeting the criteria for involuntary admissions criteria under a **Marchman Act** as outlined below may be transported by law enforcement if an involuntary admission certificate and application for emergency admission is completed by a physician, an advanced practice registered nurse, a psychiatric nurse, a clinical psychologist, a clinical social worker, a marriage and family therapist, a mental health counselor, a physician assistant working under the scope of practice of the supervising physician, or a master's-level certified addictions professional for substance abuse services, provided the certificate is specific to substance abuse impairment, or when a law enforcement officer determines that the individual appears to meet the involuntary admission criteria and the individual is brought to the attention of law enforcement or the person is located in a public place. A person in circumstances which justify protective custody, as described in s. 397.677, may also consent to be assisted by a law enforcement officer to his or her home, to a hospital, or to a licensed detoxification or addictions receiving facility, whichever the officer determines is most appropriate. **AGENCY DESIGNATIONS FOR ACTUAL TRANSPORT ARE SET FORTH ELSEWHERE IN THIS PLAN.**

¹ These regions currently are: Northeast, Northwest, Central, SunCoast, Southeast and Southern. For map and contact information click [here](#).

² Chapter Law 2022-163 created an additional Judicial Circuit. This caused changes to county placement within the DCF designated regions thus adding the 19th Circuit to the Central Region.



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The Transportation Plan will insure that individuals on an involuntary Baker Act/Marchman Act will obtain immediate access to acute care services and will reduce the need for inter-hospital transfers for psychiatric and addiction services. Coordination of services among providers in Seminole County will continue to meet individual needs.

Criteria for Involuntary Examination under the Baker Act

A person may be taken to a receiving facility for involuntary examination if there is reason to believe that the person has a mental illness and because of his or her mental illness:

- (a) 1. the person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; **or**
 - 2. the person is unable to determine for himself or herself whether examination is necessary; **and**
- (b) 1. without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing, able, and responsible family members or friends or the provision of other services; **or**
 - 2. there is a substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior.

Section 394.463(1), Fla. Stat.

Criteria for Involuntary Admission under the Marchman Act

A person may be taken to a receiving facility for involuntary admission if there is a good faith reason to believe that the person is substance abuse impaired or has a substance use disorder and a co-occurring mental health disorder and, because of such impairment or disorder:

- (1) has lost the power of self-control with respect to substance abuse; **and**
- (2) (a) is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard, although mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services; **or**
 - (b) without care or treatment, is likely to suffer from neglect or refuse to care for himself or herself; that such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and that it is not apparent that such harm may be avoided through the help of willing, able, and responsible family members or friends or the provision of other services, or there is substantial likelihood that the person has inflicted, or threatened to or attempted to inflict, or, unless admitted, is likely to inflict, physical harm on himself, herself, or another.

Section 397.675, Fla. Stat.

Law Enforcement Designation

Seminole County hereby designates the Seminole County Sheriff's Office to transport from the unincorporated areas of Seminole County and the municipal law enforcement agencies to transport from their respective jurisdictions for law enforcement initiated Baker Acts and Marchman Act protective Custody, consistent with this Transportation Plan and in accordance with the Memorandum of Understanding now existing between the Seminole



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County Law Enforcement agencies, South Seminole Hospital, University Behavioral Center, Aspire Health Partners and Circles of Care.³

Seminole County hereby designates the Seminole County Sheriff's Office to transport from the unincorporated areas of Seminole County and the municipal law enforcement agencies to transport from their respective jurisdictions for professional certificate-initiated Baker Acts and Marchman Act Protective Custody, consistent with this Transportation Plan.

Seminole County hereby designates the Seminole County Sheriff's Office to transport all Ex Parte Baker Acts and Marchman Acts initiated pursuant to Court Order from the incorporated and the unincorporated areas of Seminole County.

Plan Requirement for Transportation of Individuals for Involuntary Examination under the Baker Act

Part A

Law enforcement officers may take into custody and transport individuals meeting the Baker Act criteria for involuntary examination to an appropriate, or the nearest, facility within the designated receiving system. Should the individual belong to one of the below categories, law enforcement may transport to the appropriate facility providing the specialty services that best meet the special needs of the particular individual. A law enforcement officer transporting a person pursuant to s. 394.463 shall restrain the person in the least restrictive manner available and appropriate under the circumstances. If transporting a minor and the parent or legal guardian of the minor is present, before departing, the law enforcement officer shall provide the parent or legal guardian of the minor with the name, address, and contact information for the facility within the designated receiving system to which the law enforcement officer is transporting the minor, subject to any safety and welfare concerns for the minor. The officer shall execute a written report (52 Form) detailing the circumstances under which the person was taken into custody, which must be made a part of the patient's clinical record. The report must include all emergency contact information for the person that is readily accessible to the law enforcement officer, including information available through electronic databases maintained by the Department of Law Enforcement or by the Department of Highway Safety and Motor Vehicles. Such emergency contact information may be used by a receiving facility only for the purpose of informing listed emergency contacts of a patient's whereabouts pursuant to s. 119.0712(2)(d). Any facility accepting the patient based on this report must send a copy of the report to the department within 5 working days. *Section 394.463(2)(a)2., Fla. Stat.*

1. Individuals taken into protective custody by law enforcement initiation on an involuntary Baker Act will be transported to the most appropriate or nearest receiving facility as described below:
 - Aspire Health Partners - 919 E. 2nd Street, Sanford, FL (Adults Only)
 - South Seminole Hospital - 555 W. SR 434, Longwood, FL (Adults and Juvenile)
 - University Behavioral Center - 2500 Discovery Drive, Orlando, FL (Adults and Juvenile)

2. Individuals taken into protective custody on an involuntary Baker Act by professional certificate t (i.e.

³ Circles of Care will need to be added to the agreement.



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Doctor), will be transported to the most appropriate or nearest receiving facility as described below:

- Aspire Health Partners - 919 E. 2nd Street, Sanford, FL (Adults Only)
- South Seminole Hospital - 555 W. SR 434, Longwood, FL (Adults and Juvenile)
- University Behavioral Center - 2500 Discovery Drive, Orlando, FL (Adults and Juvenile)

3. Individuals taken into protective custody through an ex parte Baker Act Order, issued by a Judge, will be transported by the Seminole County Sheriff's Office **to the facility designated in the order. If no facility is designated then the person will be transported to the most appropriate or nearest receiving facility as described below:**

- Aspire Health Partners - 919 E. 2nd Street, Sanford, FL (Adults Only)
- South Seminole Hospital - 555 W. SR 434, Longwood, FL (Adults and Juvenile)
- University Behavioral Center - 2500 Discovery Drive, Orlando, FL (Adults and Juvenile)

4. **Minors Specifically** - Children (0-12 years old) and adolescents (13-17 years old) shall be taken to the nearest receiving facility that is licensed to serve children and adolescents. The primary location to be utilized for the provisions of services for minors requiring emergency mental health treatment under the Baker Act in accordance with this Plan is:

- South Seminole Hospital - 555 W. SR 434, Longwood, FL (Baker Act only)
- University Behavioral Center - 2500 Discovery Drive, Orlando, FL (Baker Act only)

5. **Incarcerated Individuals** - Persons in the custody of the Seminole County Sheriff's Office John E. Polk Correctional Facility who have been assessed as having psychiatric issues which warrant an involuntary examination under the Baker Act, and who are eligible for "diversion" into the community or have reached their end of sentence shall be transported to the receiving facility closest to his/her residence, or where the person was arrested, if the person was homeless or the residence is unknown. If the individual is an out-of-state resident extradited on an Arrest Warrant, he/she shall be transported to the receiving facility closest to the John E. Polk Correctional Facility.

Part B

Receiving facilities shall accept any person brought by law enforcement for involuntary examination under the Baker Act. Section 394.462(1)(k), Fla. Stat. When the person is taken to a facility which is subsequently found to be inappropriate due to patient choice, lack of needed services, or payer status, the patient may be transferred in accordance with the provisions of the Emergency Medical Treatment and Active Labor Act and the Baker Act through non-law enforcement means. The cost of this transfer is to be paid by the sending facility unless agreement is reached between the two facilities for a different payer source. In no case shall a law enforcement officer be required to further transport a person after bringing the person to a hospital or receiving facility. Section 394.462(2)(a), Fla. Stat. Persons with open or pending criminal charges/warrants shall be released back to the custody of the appropriate law enforcement agency. *Section 394.463(2)(9), Fla. Stat.*

**Plan Requirements for Transportation of Individuals
for Involuntary Admission under the Marchman Act**

According to the Marchman Act, law enforcement officers may take into custody and transport individuals meeting



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the above criteria for involuntary admission to an appropriate, or the nearest, facility within the designated receiving system. Law enforcement in Seminole County will transport to the appropriate facility as outlined below which provides specialty services for addiction. In addition, law enforcement must complete and execute a written report detailing the circumstances under which the person was taken into custody.

Protective Custody initiated by Law Enforcement or pursuant to Professional Certificate:

Individuals taken into protective custody on an involuntary Marchman Act will be transported to the most appropriate or nearest receiving facility as described below:

- Aspire Health Partners-Kennedy-434 W. Kennedy Blvd., Orlando, FL (Adults only)
- Circles of Care, 400 E. Sheridan Road, Melbourne, FL 32901 (Juveniles only)
- Any hospital emergency room can be used to treat severe substance abuse or withdraw symptoms that require urgent medical attention even though not a specified receiving facility for Marchman Act. They can also be used when Aspire Health Partners is at capacity.
 - If necessary to assist in making the determination of severe medical need, law enforcement may have need to consult with EMS paramedics. Transportation may be accomplished by EMS paramedics in these situations.

Ex Parte Marchman Act Order:

Individuals taken into protective custody through an ex parte Marchman Act Order, issued by a Judge, will be transported by the Seminole County Sheriff's Office to the facility designated in the order. If no facility is designated in the order then the person will be transported to the most appropriate or nearest receiving facility as described below:

- Aspire Health Partners-Kennedy-434 W. Kennedy Blvd., Orlando, FL (**Adults only**)
- Circles of Care, 400 E. Sheridan Road, Melbourne, FL 32901 (**Juveniles only**)
- Any hospital emergency room can be used to treat severe substance abuse or withdraw symptoms that require urgent medical attention even though not a specified receiving facility for Marchman Act. They can also be used when Aspire Health Partners is at capacity.

The Seminole County Civil Section should review the Order as the facility designated in the Order may not accept the individual. For example, the order for a juvenile may say UBC for a Marchman Act when UBC does not take Marchman Act Orders. These Orders should say Circles of Care. If there is any discrepancy in the Order from what the facility will accept, this should be brought to the attention of the Court of issuance for amendment.

Seminole County Public Safety Coordinating Council

One of the functions of the Seminole County Public Safety Coordinating Council is to discuss the operations of the Seminole County Baker and Marchman Act Transportation Plan. The council meets regularly to discuss grievances, public satisfaction, and assurance of patient rights as related to this plan. The Seminole County Public Safety Coordinating Council is composed of, but not limited to, representatives of the following agencies: Seminole County Board of County Commissioners Designee, State Attorney's Office, Public Defender's Office, Chief Circuit Judge or Designee, Chief County Judge or Designee, Chief Correctional Officer, Sheriff or designee, State Probation Circuit



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Administrator or designee, Captain of Administrative Service, Inmate Programs, and County Probation Division or designee, Director of local substance abuse treatment program, and organizations that work with offenders and victims as appointed by the BCC.

System Capacity

Aspire Health Partners - 919 E. 2nd Street, Sanford, Florida and 434 W. Kennedy Blvd., Orlando FL are public receiving facilities licensed by the Agency for Health Care Administration (AHCA) to operate Crisis Stabilization for adults. At all times, Aspire Health Partners will minimally maintain the current number of publicly funded beds (30) serving the needs of Seminole County residents.

South Seminole Hospital - 555 W. SR 434, Longwood, Florida is a private hospital licensed by the AHCA to operate 62 Adult Psychiatric, 10 Adult Substance Abuse, and 8 Child Psychiatric beds.

University Behavioral Center - 2500 Discovery Drive, Orlando, Florida is a private psychiatric hospital and public receiving facility licensed by the AHCA and certified by JCAHO (Joint Commission on Accreditation for Healthcare Organizations) and operates 112 beds consisting of 32 Child/Adolescent Crisis Stabilization Unit beds, 56 Adult Crisis Stabilization beds and 24 Co- Occurring (Detox/Mental Health) Crisis Stabilization beds. **UBC does not take Marchman Act only patients.**

Circles of Care – 400 E. Sheridan Road, Melbourne, Florida is a private state licensed psychiatric hospital to provide detoxification and stabilization services for substance abuse crisis situations affecting children and adolescents. The facility is accredited by the Joint Commission of Accreditation for Healthcare Organization (JCAHO) and operates 16 children's crisis stabilization beds.

The receiving facilities will notify the Seminole County Public Safety Coordinating council of any changes in system capacity.

System Need

3,479 persons were subject to either a Baker Act or Marchman Act initiated in Seminole County by law enforcement, court order or otherwise during the time frame of January 1, 2024 to December 31, 2024. This number is broken down to reflect 2,273 Adult Baker Acts and 514 Adult Marchman Acts; 678 Juvenile Baker Acts and 14 Juvenile Marchman Acts..

Breakdown with regard to ADULT ONLY Baker Acts and Marchman Acts by Agency is described below:

AGENCY	Number of Subjects
Altamonte Springs PD	334
Casselberry PD	159
Lake Mary PD	70
Longwood PD	71
Oviedo PD	102
Sanford PD	469
Seminole County Sheriff's Office	1433
Winter Springs PD	145



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The majority of the transports were completed by the Seminole County Sheriff's Office. This is in part due to the Seminole County Sheriff's Office being the sole agency for ex parte transports.

The Seminole County Public Safety Coordinating Council recognizes a need for additional receiving and treatment facilities within Seminole County. for both adult and juvenile aged patients.

The Department of Children and Families has designated receiving facilities and treatment facilities within regions in the State. Given the small number of Baker Act receiving facilities within Seminole County and the lack of designated Marchman Act receiving facilities within Seminole County, persons often have to be transported out of Seminole County for services. This has an impact on law enforcement agencies having to travel large distances from their respective jurisdictions. It also has a detrimental impact upon the Court's oversight of cases that originate in Seminole County. For example, if the receiving facility files a Petition for Involuntary Hospitalization on a person brought to them for an Involuntary Assessment, Florida Statute 394.467 requires that the Petition be filed in the County where the person is located. A similar requirement exists for Petitions for Outpatient Treatment. See F.S. 394.4655. Thus, as an example, persons brought to University Behavioral Health in Orange County will require Petitions to be filed with the clerk in Orange County and any resulting hearing being held by a judge or magistrate in Orange County's jurisdiction.⁴

Medical Treatment

An Individual's emergency medical needs will take precedence in all transportation situations. If a law enforcement officer believes that a person has an emergency medical condition as defined in Florida Statutes Section 395.002 (8), the person should be first transported to the nearest hospital or emergency room for emergency medical treatment, regardless of whether the facility is an Addiction Receiving Facility.

System Oversight

In an effort to resolve complaints, grievances, and disputes which may arise during implementation of the plan, personnel from Aspire Health Partners, South Seminole Hospital and University Behavioral Center will meet regularly. The Public Safety coordinating council will implement necessary actions in response to its ongoing review and any public or Central Florida Cares Health System (CFCHS) or Department of Children and Families review.

The Central Florida Regional Department of Children and Families, Substance Abuse and Mental Health Program Office is responsible for providing oversight to the Transportation Plan. The Department of Children and Families has the authority to resolve issues concerning the Seminole County Transportation Plan, approve interagency agreements, as well as coordinate other services needed for individuals beyond acute care services. The Regional office also has a working relationship with the Agency for Health Care Administration if issues arise beyond the department's authority.

Effective Date and Terms of Agreement

This Transportation Plan shall become effective on October 1, 2025, and unless terminated or canceled on an earlier date, will expire on September 30, 2028. It may be renewed in writing by the signatory parties for a maximum of three

⁴ 244 adults were taken to University Behavioral Health in 2021.



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(3) additional successive three (3) year terms. This Transportation Plan may not be amended or modified except in writing, signed, and duly executed by the parties.

Statement of Approval by Seminole County Public Safety Coordinating Council

The community stakeholders who make up the Seminole County Public Safety Coordinating Council met on April 10, 2025 to review and discuss the Seminole County Transportation Plan renewal and any amendments. The Plan was approved for submission to the County for adoption.

A handwritten signature in black ink that reads "Sharon Bryan".

Sharon Bryan, Chairperson
Seminole County Public Safety Council
Seminole County Sheriff's Office