

September 23, 2021

Notice of Development of Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-404.103 Definitions;

33-404.112 Risk Assessment of Inmates in an Inpatient Setting.

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to modify the provisions concerning who is responsible for leading the Risk Assessment Team (RAT) during RAT meetings and to add language requiring the RAT to meet after a critical event. The RAT consists of a security representative, a psychologist, and a classification officer who assess inmates for risk of violence and assign level of security restraint during inpatient mental health treatment. The proposed rules define what constitutes a critical event and adds timeframes for when the RAT meets. The proposed rule also defines business day.

SUBJECT AREA TO BE ADDRESSED: Mental Health Services

RULEMAKING AUTHORITY: 944.09, 945.49 F.S.

LAW IMPLEMENTED: 944.09, 945.42, 945.49 F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Office of the General Counsel, Attn: FDC Rule Correspondence, 501 South Calhoun Street, Tallahassee, Florida 32399, FDCRuleCorrespondence@fdc.myflorida.com. A copy of the preliminary draft may also be obtained using the following link: <http://www.dc.state.fl.us/legal/ch33/notices/index.html>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.