

Quiz: How Baker Act Works

1. The Baker Act is:
 - a. Florida's Public Health Law, F.S. 397, involving involuntary placement and treatment of individuals with mental illness also known as the "Marchman Act"
 - b. Various rights of patients including: right to individual dignity, right to treatment, right to expressed and informed consent, and right to quality treatment
 - c. Also known as the "Florida Mental Health Act", F.S. 394, governing voluntary and involuntary treatment and services for individuals with mental illness and co-occurring substance use disorders
 - d. The longest running play at the Sanger Theater in Pensacola
 - e. Both b and c

2. The "Baker Act" name was named after:
 - a. Supreme Court case 422 U.S. 563, J.B. O'Conner v. Kenneth Baker (Hospital Superintendent), where petitioner Mr. O'Conner was confined for 15 years "for care, maintenance, and treatment as a mental patient in a Florida State Hospital."
 - b. Representative Maxine Baker. The Baker Act passed into law in 1971 replacing Florida's statutes governing the treatment of mental illness in Florida dating back to 1874. Before the Baker act was enacted, a person could be placed in a state hospital if three people signed affidavits and secured the approval of a county judge. Children as young as 12 could be placed in state hospitals with adults.
 - c. A mental health case originating in Baker County, Florida, involving the rights of individuals with mental illness.
 - d. Code 22.52 Florida Statutes setting out standards for commitment to state psychiatric facilities.

3. Individuals placed under the Baker Act must be held in a receiving facility for 72 hours for mental evaluation and treatment: True or False

4. Most Baker Acts in Escambia and Santa Rosa Counties are done by:
 - a. Law enforcement officers
 - b. Mental health professionals (psychiatrist, psychologists, LCSWs, LMHCs etc.)
 - c. Ex-parte court orders initiated by family, friends and others
 - d. Physicians (who are not psychiatrists)
 - e. Jail correction officers

5. Law enforcement officers and professionals authorized to initiate the "Baker Act" have different standards for when they "shall" or "may" initiate the involuntary examination.

True or False

6. **Criteria for involuntary examination under the Baker Act statute include:**
 - a. There is reason to believe that the person has a mental illness.
 - b. The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; or the person is unable to determine for himself or herself whether examination is necessary; and without care or treatment the person is likely to suffer from neglect or refuse to care for himself or herself.
 - c. There is 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.
 - d. The person lacks capacity to care for themselves as evidenced by homelessness.
 - e. Items a, b, and c

7. **Individuals with developmental disorders or dementia who do not have a co-occurring mental health illness meet the criteria for the Baker Act:**

True or False

8. **Individuals ordered for involuntary inpatient placement upon finding of the court can be placed:**
 - a. In a receiving and treatment facility for up to 6 months
 - b. In a receiving facility for up to 90 days
 - c. In a jail for up to 90 days
 - d. In a treatment facility for up to 6 months
 - e. Both b and d

9. **Individuals authorized to complete the involuntary examination and "release" people from the Baker Act include:**
 - a. Psychiatrists, clinical psychologists, licensed mental health counselors, licensed social workers, psychiatric nurses performing under established protocol with a psychiatrist
 - b. Attending emergency department physicians with experience in the diagnosis and treatment of mental illness
 - c. Physicians, clinical psychologists, psychiatric nurses performing under established protocol with a psychiatrist
 - d. Dr. Oz
 - e. Both b and c

10. **Recent changes in statute (381.0056) state that: "a reasonable attempt to notify a student's parent, guardian, or caregiver before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to s. 394.463."**

True or False