

1 A bill to be entitled
 2 An act relating to eye care for newborns and infants;
 3 amending s. 383.04, F.S.; requiring a certain eye
 4 examination for newborns; providing applicability;
 5 amending s. 383.07, F.S.; clarifying application of a
 6 criminal penalty; amending ss. 627.6416 and 641.31,
 7 F.S.; requiring that coverage for children under
 8 health insurance policies and health maintenance
 9 contracts include certain eye examinations for
 10 newborns and infants; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 383.04, Florida Statutes, is amended to
 15 read:

16 383.04 Prophylactic and eye examination required for eyes
 17 of newborns; exception infants.-

18 (1) The ~~Every~~ physician, midwife, or other person in
 19 attendance at the birth of a child in this ~~the~~ state shall ~~is~~
 20 ~~required to~~ instill or have instilled into the eyes of the
 21 newborn baby within 1 hour after birth an effective prophylactic
 22 recommended by the Committee on Infectious Diseases of the
 23 American Academy of Pediatrics for the prevention of neonatal
 24 ophthalmia.

25 (2) Before being discharged from the hospital, each child

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26 born in a hospital in this state must receive an eye
27 examination, using a direct ophthalmoscope, in which the
28 newborn's pupils are dilated to allow detection of pediatric
29 congenital and ocular abnormalities and developmental
30 abnormalities.

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32 This section does not apply if a parent of the newborn files a
33 written objection to the instillation of the prophylactic or a
34 written objection to the eye examination with a signed informed
35 consent explaining the risks associated with opting out of the
36 eye examination ~~to cases where the parents file with the~~
37 ~~physician, midwife, or other person in attendance at the birth~~
38 ~~of a child written objections on account of religious beliefs~~
39 ~~contrary to the use of drugs.~~ If such an objection is filed, in
40 such case the physician, midwife, or other person in attendance
41 shall maintain a record that reflects that the instillation or
42 eye examination was not performed ~~such measures were or were not~~
43 ~~employed and shall attach the thereto any written objection.~~

44 Section 2. Section 383.07, Florida Statutes, is amended to
45 read:

46 383.07 Penalty for violation.—Any person who fails to
47 comply with s. 383.04(1) or s. 383.06 commits the provisions of
48 ~~ss. 383.04-383.06 shall be guilty of a misdemeanor of the second~~
49 ~~degree, punishable as provided in s. 775.083.~~

50 Section 3. Paragraph (a) of subsection (2) of section

51 627.6416, Florida Statutes, is amended to read:

52 627.6416 Coverage for child health supervision services.-

53 (2) As used in this section, the term "child health
54 supervision services" means physician-delivered or physician-
55 supervised services that include, at a minimum, services
56 delivered at the intervals and scope stated in this section.

57 (a) Child health supervision services must include:

58 1. Periodic visits that ~~which shall~~ include the taking of
59 a history, a physical examination, a developmental assessment
60 and anticipatory guidance, and appropriate immunizations and
61 laboratory tests; and

62 2. Eye examinations, using a direct ophthalmoscope, at
63 birth or within 2 weeks, at 6 to 8 weeks of age, and at 6 to 9
64 months of age in which the child's pupils are dilated to allow
65 for detection of pediatric congenital and ocular abnormalities
66 and developmental abnormalities.

67
68 Such services must ~~and periodic visits shall~~ be provided in
69 accordance with prevailing medical standards consistent with the
70 Recommendations for Preventive Pediatric Health Care of the
71 American Academy of Pediatrics.

72 Section 4. Paragraph (b) of subsection (30) of section
73 641.31, Florida Statutes, is amended to read:

74 641.31 Health maintenance contracts.-

75 (30)

76 (b) As used in this subsection, the term "child health
 77 supervision services" means physician-delivered or physician-
 78 supervised services that include, at a minimum, services
 79 delivered at the intervals and scope stated in this subsection.

80 1. Child health supervision services must include:

81 a. Periodic visits that ~~which shall~~ include the taking of
 82 a history, a physical examination, a developmental assessment
 83 and anticipatory guidance, and appropriate immunizations and
 84 laboratory tests; and

85 b. Eye examinations, using a direct ophthalmoscope, at
 86 birth or within 2 weeks, at 6 to 8 weeks of age, and at 6 to 9
 87 months of age in which the child's pupils are dilated to allow
 88 for detection of pediatric congenital and ocular abnormalities
 89 and developmental abnormalities.

90 2. Such services and periodic visits must ~~shall~~ be
 91 provided in accordance with prevailing medical standards
 92 consistent with the Recommendations for Preventive Pediatric
 93 Health Care of the American Academy of Pediatrics.

94 ~~3.2.~~ Minimum benefits may be limited to one visit payable
 95 to one provider for all of the services provided at each visit
 96 cited in this subsection.

97 Section 5. This act shall take effect July 1, 2020.