

ENROLLED

CS/HB 41

2018 Legislature

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An act relating to pregnancy support and wellness services; creating s. 381.96, F.S.; providing definitions; requiring the Department of Health to contract with a not-for-profit statewide alliance of organizations to provide pregnancy support and wellness services through subcontractors; providing duties of the department; providing contract requirements; requiring the contractor to spend a specified percentage of funds on direct client services; requiring the contractor to annually monitor subcontractors; providing for subcontractor background screenings under certain circumstances; specifying the entities eligible for a subcontract; requiring services to be provided in a noncoercive manner and forbidding inclusion of religious content; providing an effective date.

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

Section 1. Section 381.96, Florida Statutes, is created to read:

381.96 Pregnancy support and wellness services.—

(1) DEFINITIONS.—As used in this section, the term:

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- 26 (a) "Department" means the Department of Health.
- 27 (b) "Eligible client" means a pregnant woman or a woman
 28 who suspects she is pregnant, and the family of such woman, who
 29 voluntarily seeks pregnancy support services and any woman who
 30 voluntarily seeks wellness services.
- 31 (c) "Florida Pregnancy Care Network, Inc.," or "network"
 32 means the not-for-profit statewide alliance of pregnancy support
 33 organizations that provide pregnancy support and wellness
 34 services through a comprehensive system of care to women and
 35 their families.
- 36 (d) "Pregnancy support services" means services that
 37 promote and encourage childbirth, including, but not limited to:
- 38 1. Direct client services, such as pregnancy testing,
 39 counseling, referral, training, and education for pregnant women
 40 and their families. A woman and her family shall continue to be
 41 eligible to receive direct client services for up to 12 months
 42 after the birth of the child.
- 43 2. Program awareness activities, including a promotional
 44 campaign to educate the public about the pregnancy support
 45 services offered by the network and a website that provides
 46 information on the location of providers in the user's area and
 47 other available community resources.
- 48 3. Communication activities, including the operation and
 49 maintenance of a hotline or call center with a single statewide
 50 toll-free number that is available 24 hours a day for an

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51 eligible client to obtain the location and contact information
52 for a pregnancy center located in the client's area.

53 (e) "Wellness services" means services or activities
54 intended to maintain and improve health or prevent illness and
55 injury, including, but not limited to, high blood pressure
56 screening, anemia testing, thyroid screening, cholesterol
57 screening, diabetes screening, and assistance with smoking
58 cessation.

59 (2) DEPARTMENT DUTIES.—The department shall contract with
60 the network for the management and delivery of pregnancy support
61 and wellness services to eligible clients.

62 (3) CONTRACT REQUIREMENTS.—The department contract shall
63 specify the contract deliverables, including financial reports
64 and other reports due to the department, timeframes for
65 achieving contractual obligations, and any other requirements
66 the department determines are necessary, such as staffing and
67 location requirements. The contract shall require the network
68 to:

69 (a) Establish, implement, and monitor a comprehensive
70 system of care through subcontractors to meet the pregnancy
71 support and wellness needs of eligible clients.

72 (b) Establish and manage subcontracts with a sufficient
73 number of providers to ensure the availability of pregnancy
74 support and wellness services for eligible clients, and maintain
75 and manage the delivery of such services throughout the contract

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76 | period.

77 | (c) Spend at least 90 percent of the contract funds on
78 | pregnancy support and wellness services.

79 | (d) Offer wellness services through vouchers or other
80 | appropriate arrangements that allow the purchase of services
81 | from qualified health care providers.

82 | (e) Require a background screening under s. 943.0542 for
83 | all paid staff and volunteers of a subcontractor if such staff
84 | or volunteers provide direct client services to an eligible
85 | client who is a minor or an elderly person or who has a
86 | disability.

87 | (f) Annually monitor its subcontractors and specify the
88 | sanctions that shall be imposed for noncompliance with the terms
89 | of a subcontract.

90 | (g) Subcontract only with providers that exclusively
91 | promote and support childbirth.

92 | (h) Ensure that informational materials provided to an
93 | eligible client by a provider are current and accurate and cite
94 | the reference source of any medical statement included in such
95 | materials.

96 | (4) SERVICES.—Services provided pursuant to this section
97 | must be provided in noncoercive manner and may not include any
98 | religious content.

99 | Section 2. This act shall take effect July 1, 2018.