

THE FLORIDA SENATE  
2017 SUMMARY OF LEGISLATION PASSED  
**Committee on Health Policy**

**CS/HB 1041 — Laboratory Screening**

by Health and Human Services Committee and Rep. Raschein (CS/SB 1144 by Health Policy Committee and Senator Montford)

The bill amends several provisions relating to public health within the jurisdiction of the Department of Health (DOH).

**Human Immunodeficiency Virus (HIV)** - The bill maintains the statutory requirement for providers in nonhealth care settings to inform persons to be tested for HIV that a positive test result will be reported to the county health department with sufficient information to identify the test subject and provide test subjects with information on the location of sites where anonymous testing is available. The bill removes such requirements for HIV tests conducted in health care settings. A nonhealth care setting is a site that conducts HIV testing for the sole purpose of identifying HIV infection; it does not provide medical treatment. A nonhealth care setting may include community-based organizations, outreach settings, county health department HIV testing programs, and mobile vans.

**Laboratory testing for other states** - The bill authorizes the DOH to perform laboratory testing related to public health for other states on a fee-for-service basis.

**Lead Poisoning Prevention Screening and Education Act** - The bill revises the definition of “elevated blood-lead level” and the requirement for the State Surgeon General to adopt rules regarding the reporting of elevated blood-lead levels and screening results to comport with established national guidelines and recommendations developed by the Council of State and Territorial Epidemiologists and the Centers for Disease Control and Prevention. The bill requires the DOH to maintain records of screenings that indicate an elevated blood-lead level while removing the requirement for the DOH to maintain records of all screenings conducted. The bill requires the health care provider who conducted or ordered the screening to report the results to the individual who was screened or to the individual’s parent or legal guardian if the individual is a minor. The bill modernizes provisions for distributing information about childhood lead poisoning to allow for culturally and linguistically appropriate information and distribution methods that are not solely paper-based.

**Newborn Screening** - The bill authorizes the results of a newborn’s hearing and metabolic tests or screenings to be provided to the parent, legal guardian, personal representative, or to a person designated by the newborn’s parent or legal guardian. The bill expands the duties of the DOH to promote the availability of genetic studies, services, and counseling, even when medical treatment may not yet exist, to benefit family members through detection and knowledge of the condition. The composition of the Genetics and Newborn Screening Advisory Council is clarified.

If approved by the Governor, these provisions take effect July 1, 2017.

*Vote: Senate 38-0; House 117-0*

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