

1 A bill to be entitled
2 An act relating to child identification;
3 providing a short title; providing legislative
4 intent; requiring hospitals and birthing
5 centers to notify parents of the availability
6 of the Child Identification Program; requiring
7 hospitals and birthing centers to provide
8 identification services to the parent upon
9 payment of a fee; encouraging physicians to
10 participate in the Child Identification
11 Program; prohibiting the creation or
12 maintenance of certain records; prohibiting
13 certain civil or criminal actions; providing
14 immunity; prohibiting agencies from requiring
15 the maintenance of records or the providing of
16 reports; providing an effective date.

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

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20 Section 1. (1) Short title.--This act may be cited as
21 the "Child Identification Program" or "ChIP" act of 1999.

22 (2) Legislative findings and intent.--The Legislature
23 finds that the new technology of DNA testing is of great
24 potential benefit to the citizens of this state. Having a
25 child's DNA sample available will enable parents to better
26 assist law enforcement in finding and identifying a child in
27 the unfortunate event of a child's disappearance or abduction,
28 as well as identifying children who may be victims in an
29 accident or natural disaster. Obtaining a DNA sample simply
30 requires the placement of a drop of blood on specially treated
31 paper for long term storage by the parent. It is the intent of

1 the Legislature that all health care providers, including
2 hospitals, birthing centers, and physicians assist parents in
3 obtaining the sample for safekeeping by the parent.

4 (3) Requirement on hospitals and birthing centers to
5 assist parents in ChIP.--Every licensed hospital and every
6 licensed birthing center shall, upon admission for a labor and
7 delivery, notify the parent as part of the admission process
8 that the hospital or birthing center is a participant in the
9 ChIP program and will provide a DNA sample for identification
10 purposes to the parent upon request and upon payment of a fee
11 to be determined by the hospital or birthing center. The fee
12 shall not exceed the reasonable cost of obtaining the sample
13 and necessary materials. If the parent elects to participate
14 and pays the fee, the hospital or birthing center shall obtain
15 the DNA sample and provide the sample to the parent for
16 safekeeping. Nothing in this section shall be considered as a
17 health service under the Medicaid program and the fee paid
18 shall not be subject to the copayment limitations set forth in
19 s. 409.9081. No copy or record of any DNA samples provided to
20 a parent shall be created or maintained by any entity
21 participating in the ChIP program.

22 (4) Participation by physicians.--The Legislature
23 hereby encourages all physicians who provide primary care to
24 children born prior to the implementation of ChIP to
25 voluntarily participate and offer ChIP to their patients. The
26 Boards of Medicine and Osteopathic Medicine are encouraged to
27 assist licensed physicians in learning about and participating
28 in ChIP.

29 (5) No civil or criminal action may be instituted, and
30 there shall be no liability, based on any action or omission
31 related to implementation of this section, against any

1 hospital, birthing center, or other health care provider.
2 Furthermore, no agency may require a hospital, birthing
3 center, or other health care provider to maintain any records
4 or data or to provide any reports related to implementation of
5 this section.

6 Section 2. This act shall take effect upon becoming a
7 law.

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