

By the Committee on Health, Aging and Long-Term Care; and
Senator Klein

317-2132-02

1 A bill to be entitled
2 An act relating to infant eye care; amending s.
3 383.04, F.S.; requiring certain eye
4 examinations for all infants born in hospitals
5 in the state; requiring the Medicaid program to
6 include certain eye examinations as a covered
7 benefit; reenacting s. 383.07, F.S., relating
8 to a penalty; amending ss. 627.6416, 641.31,
9 F.S.; providing that coverage for children
10 under health insurance policies and health
11 maintenance organization contracts include
12 certain eye examinations for infants and
13 children; providing an effective date.

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

17 Section 1. Section 383.04, Florida Statutes, is
18 amended to read:

19 383.04 Prophylactic required for eyes of
20 infants.--Every physician, midwife, or other person in
21 attendance at the birth of a child in the state is required to
22 instill or have instilled into the eyes of the baby within 1
23 hour after birth an effective prophylactic recommended by the
24 Committee on Infectious Diseases of the American Academy of
25 Pediatrics for the prevention of neonatal ophthalmia. In
26 addition, every baby born in a hospital in the state shall
27 receive, prior to being discharged from the hospital, a
28 dilated pupillary red-reflex examination performed using a
29 direct ophthalmoscope as the light source for detection of
30 pediatric congenital and ocular abnormalities.This section
31 does not apply to cases where the parents file with the

1 physician, midwife, or other person in attendance at the birth
2 of a child written objections on account of religious beliefs
3 contrary to the use of drugs. In such case the physician,
4 midwife, or other person in attendance shall maintain a record
5 that such measures were or were not employed and attach
6 thereto any written objection.

7 Section 2. The initial examinations for detecting
8 pediatric congenital and ocular abnormalities in the newborn
9 or infant and any followup examinations required by law shall
10 be a covered benefit, reimbursable under Medicaid as an
11 expense compensated supplemental to the per diem rate for
12 Medicaid patients enrolled in MediPass or Medicaid patients
13 covered by a fee-for-service program. For Medicaid patients
14 enrolled in health maintenance organizations, providers shall
15 be reimbursed directly by the Medicaid Program Office at the
16 Medicaid rate. This service may not be considered a covered
17 service for the purposes of establishing the payment rate for
18 Medicaid health maintenance organizations. All health
19 insurance policies and health maintenance organizations as
20 provided under sections 627.6416, 627.6579, and 641.31(30),
21 Florida Statutes, except for supplemental policies that
22 provide coverage only for specific diseases, hospital
23 indemnity, or Medicare supplement, or for the supplemental
24 policies, shall compensate providers for the covered benefit.
25 Nonhospital-based providers are eligible to bill Medicaid for
26 the professional and technical component of each procedure
27 code.

28 Section 3. Section 383.07, Florida Statutes, is
29 reenacted to read:

30 383.07 Penalty for violation.--Any person who fails to
31 comply with the provisions of ss. 383.04-383.06 shall be

1 guilty of a misdemeanor of the second degree, punishable as
2 provided in s. 775.083.

3 Section 4. Paragraph (a) of subsection (2) of section
4 627.6416, Florida Statutes, is amended to read:

5 627.6416 Coverage for child health supervision
6 services.--

7 (2) As used in this section, the term "child health
8 supervision services" means physician-delivered or
9 physician-supervised services that include, at a minimum,
10 services delivered at the intervals and scope stated in this
11 section.

12 (a) Child health supervision services must include
13 periodic visits that ~~which~~ shall include a history, a physical
14 examination, a developmental assessment and anticipatory
15 guidance, ~~and~~ appropriate immunizations and laboratory tests,
16 and a dilated pupillary red-reflex examination performed using
17 a direct ophthalmoscope at birth or by 8 weeks of age when
18 birth occurs outside of the hospital setting; at 6 to 9 months
19 of age; and at 15 to 18 months of age for detection of
20 pediatric congenital and ocular abnormalities and
21 developmental abnormalities. Such services and periodic
22 visits shall be provided in accordance with prevailing medical
23 standards consistent with the Recommendations for Preventive
24 Pediatric Health Care of the American Academy of Pediatrics.

25 Section 5. Paragraph (b) of subsection (30) of section
26 641.31, Florida Statutes, is amended to read:

27 641.31 Health maintenance contracts.--

28 (30)

29 (b) As used in this subsection, the term "child health
30 supervision services" means physician-delivered or
31 physician-supervised services that include, at a minimum,

1 services delivered at the intervals and scope stated in this
2 subsection.

3 1. Child health supervision services must include
4 periodic visits that ~~which~~ shall include a history, a physical
5 examination, a developmental assessment and anticipatory
6 guidance, ~~and~~ appropriate immunizations and laboratory tests,
7 and a dilated pupillary red-reflex examination performed using
8 a direct ophthalmoscope at birth or by 8 weeks of age when
9 birth occurs outside of the hospital setting; at 6 to 9 months
10 of age; and at 15 to 18 months of age for detection of
11 pediatric congenital and ocular abnormalities and
12 developmental abnormalities. Such services and periodic

13 visits shall be provided in accordance with prevailing medical
14 standards consistent with the Recommendations for Preventive
15 Pediatric Health Care of the American Academy of Pediatrics.

16 2. Minimum benefits may be limited to one visit
17 payable to one provider for all of the services provided at
18 each visit cited in this subsection.

19 Section 6. This act shall take effect July 1, 2002.

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21 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22 COMMITTEE SUBSTITUTE FOR
23 SB 2062

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25 The Committee Substitute differs from SB 2062 in the following
26 ways:

27 1. The eye examination must be given at birth to infants born
28 in the hospital and by 8 weeks of age to infants born outside
29 the hospital setting; at 6 to 9 months of age; and at 15 to 18
30 months of age.

31 2. The Medicaid program must cover the cost of the required
eye exams.