

By the Committees on Banking and Insurance; Health, Aging and Long-Term Care; and Senator Klein

311-2308-02

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, 627.6579,
9 and 641.31, F.S.; providing that coverage for
10 children under health insurance policies and
11 health maintenance organization contracts
12 include certain eye examinations for infants
13 and 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 examination for detecting
8 pediatric congenital and ocular abnormalities in the newborn
9 or infant, which is a dilated pupillary red-reflex examination
10 using a direct ophthalmoscope as the light source for
11 detection of pediatric congenital and ocular abnormalities, or
12 such examination by 8 weeks of age when birth occurs outside
13 the hospital setting, and follow-up examinations at 6 to 9
14 months of age, and at 15 to 18 months of age, shall be
15 reimbursable under Medicaid as an expense compensated
16 supplemental to the per diem rate for Medicaid patients
17 enrolled in MediPass or Medicaid patients covered by a
18 fee-for-service program. For Medicaid patients enrolled in
19 health maintenance organizations, providers shall be
20 reimbursed directly by the Medicaid Program Office at the
21 Medicaid rate. This service may not be considered a covered
22 service for the purposes of establishing the payment rate for
23 Medicaid health maintenance organizations. All health
24 insurance policies and health maintenance organizations as
25 provided under sections 627.6416, 627.6579, and 641.31(30),
26 Florida Statutes, except for supplemental policies that
27 provide coverage only for specific diseases, hospital
28 indemnity, or Medicare supplement, or for the supplemental
29 policies, shall compensate providers for such examinations.
30 Nonhospital-based providers are eligible to bill Medicaid for
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1 the professional and technical component of each procedure
2 code.

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

5 383.07 Penalty for violation.--Any person who fails to
6 comply with the provisions of ss. 383.04-383.06 shall be
7 guilty of a misdemeanor of the second degree, punishable as
8 provided in s. 775.083.

9 Section 4. Paragraph (a) of subsection (2) of section
10 627.6416, Florida Statutes, is amended to read:

11 627.6416 Coverage for child health supervision
12 services.--

13 (2) As used in this section, the term "child health
14 supervision services" means physician-delivered or
15 physician-supervised services that include, at a minimum,
16 services delivered at the intervals and scope stated in this
17 section.

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

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1 Section 5. Paragraph (a) of subsection (2) of section
2 627.6579, Florida Statutes, is amended to read:

3 627.6579 Coverage for child health supervision
4 services.--

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

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

23 Section 6. Paragraph (b) of subsection (30) of section
24 641.31, Florida Statutes, is amended to read:

25 641.31 Health maintenance contracts.--

26 (30)

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

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

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

17 Section 7. This act shall take effect July 1, 2002.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 CS for SB 2062

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Clarifies the type of initial eye examination and follow-up
examinations that must be reimbursed by Medicaid.

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Makes conforming changes to s. 627.6579, F.S., which requires
group health insurance policies to provide coverage for child
health supervision services.

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