

A bill to be entitled

An act relating to health; amending and renumbering s. 216.341, F.S.; exempting Department of Health positions funded by certain trust funds from certain authorization provisions; amending s. 381.0066, F.S.; extending the period for a certain additional fee for purposes of research on onsite sewage treatment and disposal systems; amending s. 383.14, F.S.; authorizing the adoption of rules relating to the newborn screening program; revising a fee; providing authority to bill third-party payors for newborn screening tests; amending s. 385.207, F.S.; correcting the name of a certain official; continuing use of the Epilepsy Services Trust Fund for epilepsy case management services; limiting administrative expenditure from the fund; creating s. 391.310, F.S.; creating the Florida Infants and Toddlers Early Intervention Program; requiring the Department of Health to work with other agencies to implement a certain federal program; amending s. 464.0195, F.S.; providing that revenues collected from nurses in excess of required fees be transferred to a specified trust fund; providing an effective date.

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

Section 1. Section 216.341, Florida Statutes, is renumbered as section 216.2625, Florida Statutes, and amended to read:

216.2625 ~~216.341~~ Disbursement of Department of Health ~~county health department~~ trust funds; appropriation of

30 authorized positions.--

31 (1) Funds from the County Health Department Trust Fund
 32 ~~County health department trust funds~~ may be expended by the
 33 Department of Health for the respective county health
 34 departments in accordance with budgets and plans agreed upon by
 35 the county authorities of each county and the Department of
 36 Health.

37 (2) The requirement limitations on appropriations provided
 38 in s. 216.262(1) that the total number of authorized positions
 39 must be appropriated shall not apply to Department of Health
 40 positions funded by:

41 (a) The County Health Department Trust Fund; or County
 42 ~~health department trust funds~~

43 (b) The United States Trust Fund.

44 Section 2. Paragraph (k) of subsection (2) of section
 45 381.0066, Florida Statutes, is amended to read:

46 381.0066 Onsite sewage treatment and disposal systems;
 47 fees.--

48 (2) The minimum fees in the following fee schedule apply
 49 until changed by rule by the department within the following
 50 limits:

51 (k) Research: An additional \$5 fee shall be added to each
 52 new system construction permit issued ~~during fiscal years 1996-~~
 53 ~~2004~~ to be used to fund ~~for~~ onsite sewage treatment and disposal
 54 system research, demonstration, and training projects. Five
 55 dollars from any repair permit fee collected under this section
 56 shall be used for funding the hands-on training centers
 57 described in s. 381.0065(3)(j).

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59 The funds collected pursuant to this subsection must be
 60 deposited in a trust fund administered by the department, to be
 61 used for the purposes stated in this section and ss. 381.0065
 62 and 381.00655.

63 Section 3. Subsection (2) and paragraph (g) of subsection
 64 (3) of section 383.14, Florida Statutes, are amended, and
 65 paragraph (h) is added to subsection (3) of said section, to
 66 read:

67 383.14 Screening for metabolic disorders, other hereditary
 68 and congenital disorders, and environmental risk factors.--

69 (2) RULES.--After consultation with the Genetics and
 70 Infant Screening Advisory Council, the department shall adopt
 71 and enforce rules requiring that every infant born in this state
 72 shall, prior to becoming 2 weeks of age, be subjected to a test
 73 for phenylketonuria and, at the appropriate age, be tested for
 74 such other metabolic diseases and hereditary or congenital
 75 disorders as the department may deem necessary from time to
 76 time. After consultation with the State Coordinating Council for
 77 School Readiness Programs, the department shall also adopt and
 78 enforce rules requiring every infant born in this state to be
 79 screened for environmental risk factors that place children and
 80 their families at risk for increased morbidity, mortality, and
 81 other negative outcomes. The department shall adopt such
 82 additional rules as are found necessary for the administration
 83 of this section and s. 383.145, including rules providing
 84 definitions of terms, rules relating to the methods used and
 85 time or times for testing as accepted medical practice
 86 indicates, rules relating to charging and collecting fees for
 87 the administration of the newborn screening program ~~screenings~~

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88 authorized by this section, and rules requiring mandatory
 89 reporting of the results of tests and screenings for these
 90 conditions to the department.

91 (3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.--The
 92 department shall administer and provide certain services to
 93 implement the provisions of this section and shall:

94 (g) Have the authority to charge and collect fees for the
 95 administration of the newborn screening program ~~screenings~~
 96 authorized in this section, as follows:

97 1. A fee not to exceed \$15 ~~of \$20~~ will be charged for each
 98 live birth, as recorded by the Office of Vital Statistics,
 99 occurring in a hospital licensed under part I of chapter 395 or
 100 a birth center licensed under s. 383.305, ~~up to 3,000 live~~
 101 ~~births per licensed hospital per year or over 60 births per~~
 102 ~~birth center~~ per year. The department shall calculate the annual
 103 assessment for each hospital and birth center, and this
 104 assessment must be paid in equal amounts quarterly. Quarterly,
 105 the department shall generate and mail to each hospital and
 106 birth center a statement of the amount due.

107 2. As part of the department's legislative budget request
 108 prepared pursuant to chapter 216, the department shall submit a
 109 certification by the department's inspector general, or the
 110 director of auditing within the inspector general's office, of
 111 the annual costs of the uniform testing and reporting procedures
 112 of the infant screening program. In certifying the annual costs,
 113 the department's inspector general or the director of auditing
 114 within the inspector general's office shall calculate the direct
 115 costs of the uniform testing and reporting procedures, including
 116 applicable administrative costs. Administrative costs shall be

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117 limited to those department costs which are reasonably and
 118 directly associated with the administration of the uniform
 119 testing and reporting procedures of the infant screening
 120 program.

121 (h) Have the authority to bill third-party payors for
 122 newborn screening tests.

123
 124 All provisions of this subsection must be coordinated with the
 125 provisions and plans established under this chapter, chapter
 126 411, and Pub. L. No. 99-457.

127 Section 4. Paragraph (a) of subsection (2) and subsection
 128 (6) of section 385.207, Florida Statutes, are amended, and
 129 subsection (7) is added to said section, to read:

130 385.207 Care and assistance of persons with epilepsy;
 131 establishment of programs in epilepsy control.--

132 (2) The Department of Health shall:

133 (a) Establish within the office of the Deputy State Health
 134 Officer ~~Assistant Secretary for Health~~ a program for the care
 135 and assistance of persons with epilepsy and promote and assist
 136 in the continued development and expansion of programs for the
 137 case management, diagnosis, care, and treatment of such persons,
 138 including required pharmaceuticals, medical procedures, and
 139 techniques which will have a positive effect in the care and
 140 treatment of persons with epilepsy.

141 ~~(6) For the 2003-2004 fiscal year only,~~ Funds in the
 142 Epilepsy Services Trust Fund may be appropriated for epilepsy
 143 case management services. ~~This subsection expires July 1, 2004.~~

144 (7) The department shall limit total administrative
 145 expenditures from the Epilepsy Services Trust Fund to 5 percent

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146 of annual receipts.

147 Section 5. Section 391.310, Florida Statutes, is created
148 to read:

149 391.310 Florida Infants and Toddlers Early Intervention
150 Program.--The Department of Health is authorized to implement
151 and administer part C of the federal Individuals with
152 Disabilities Education Act, which shall be known as the "Florida
153 Infants and Toddlers Early Intervention Program." The
154 department, jointly with the Department of Education, shall
155 prepare annually a grant application to the United States
156 Department of Education for funding for early intervention
157 services for infants and toddlers with disabilities, ages birth
158 through 36 months, and their families pursuant to part C of the
159 federal Individuals with Disabilities Education Act.

160 Section 6. Subsection (3) of section 464.0195, Florida
161 Statutes, is amended to read:

162 464.0195 Florida Center for Nursing; goals.--

163 (3) The Board of Nursing shall include on its initial and
164 renewal application forms a question asking the nurse to
165 voluntarily contribute to funding the Florida Center for Nursing
166 in addition to paying the fees imposed at the time of licensure
167 and licensure renewal. Revenues collected from nurses over and
168 above the required fees shall be transferred from the Medical
169 Quality Assurance Trust Fund to ~~deposited in~~ the Florida Center
170 for Nursing Trust Fund and shall be used solely to support and
171 maintain the goals and functions of the center.

172 Section 7. This act shall take effect July 1, 2004.