



1           **(b) The Legislature further finds that most families**  
2 **are competent caregivers and providers for the health care**  
3 **needs of their children and that children achieve their**  
4 **greatest potential when families are able to support and**  
5 **nurture the health of their children in their own homes.**  
6 **Therefore, the Legislature finds that the policies and**  
7 **procedures relating to the health of children in this state**  
8 **must ensure that all children, regardless of their parents'**  
9 **income, have access to high-quality health care, without cost**  
10 **to the family or child.**

11           **(2) DEFINITIONS.--As used in this section, the term:**

12           **(a) "Child" means any person younger than 19 years of**  
13 **age.**

14           **(b) "Child with special health care needs" means a**  
15 **child whose serious or chronic physical or developmental**  
16 **condition requires extensive preventive and maintenance care**  
17 **beyond that required by typical healthy children. Health care**  
18 **utilization by such a child exceeds the statistically expected**  
19 **usage of the normal child adjusted for chronological age.**  
20 **These children often need complex care requiring multiple**  
21 **providers, rehabilitation services, and specialized equipment**  
22 **in a number of different settings.**

23           **(c) "Comprehensive health care services" means**  
24 **services, medical equipment, and supplies furnished by a**  
25 **provider, including, but not limited to, medical, surgical,**  
26 **and dental care; psychological, optometric, optic,**  
27 **chiropractic, podiatric, nursing, physical therapy, and**  
28 **pharmaceutical services; emergency services and care; health**  
29 **education, preventive medical, rehabilitative, and home health**  
30 **services; inpatient and outpatient hospital services; extended**  
31 **care; nursing home care; convalescent institutional care;**

1 technical and professional clinical pathology laboratory  
2 services; laboratory and ambulance services; appliances,  
3 drugs, medicines, and supplies; and any other care, service,  
4 or treatment of disease or correction of defects for children.

5 (d) "Department" means the Department of Health.

6 (e) "Emergency services and care" means medical  
7 screening, examination, and evaluation by a physician, or, to  
8 the extent permitted by applicable law, by other appropriate  
9 personnel under the supervision of a physician, to determine  
10 if an emergency medical condition exists and, if it does, the  
11 care, treatment, or surgery for a covered service by a  
12 physician necessary to relieve or eliminate the emergency  
13 medical condition, within the service capability of a  
14 hospital.

15 (f) "Family" means the group or the individuals caring  
16 for a child. The family includes a child with a custodial  
17 parent or caretaker relative who resides in the same house or  
18 living unit or, in the case of a child whose disability of  
19 nonage has been removed under chapter 743, Florida Statutes,  
20 the child. The family may also include other individuals whose  
21 income and resources are considered in whole or in part in  
22 determining the eligibility of the child.

23 (g) "Health care provider" means a health care  
24 professional, health care facility, or entity licensed or  
25 certified to provide health services in this state which meets  
26 the criteria as established by the department.

27 (h) "Medically necessary" means the use of any medical  
28 treatment, service, equipment, or supply necessary to palliate  
29 the effects of a terminal condition or to prevent, diagnose,  
30 correct, cure, alleviate, or preclude deterioration of a  
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1 condition that threatens life, causes pain or suffering, or  
2 results in illness or infirmity and which is:

3 1. Consistent with the symptom, diagnosis, and  
4 treatment of the child's condition;

5 2. Provided in accordance with generally accepted  
6 standards of medical practice;

7 3. Not primarily intended for the convenience of the  
8 child, the child's family, or the health care provider;

9 4. The most appropriate level of supply or service for  
10 the diagnosis and treatment of the child's condition; and

11 5. Approved by the appropriate medical body or health  
12 care specialty involved as effective, appropriate, and  
13 essential for the care and treatment of the child's condition.

14 (3) UNIVERSAL HEALTH ACCESS PLAN FOR CHILDREN.--The  
15 Universal Health Access Plan for Children is created for the  
16 purpose of providing a single, publicly funded statewide  
17 program to provide comprehensive health care service for all  
18 medically necessary health services for all children of the  
19 state without cost to the child or his or her family.

20 (4) RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH.--

21 (a) The Department of Health shall:

22 1. Establish budget and reimbursement policy  
23 guidelines for the plan, recommend priorities for implementing  
24 comprehensive plans and budgets, and determine aggregate  
25 capital expenditures.

26 2. Establish fee schedules for health care providers.

27 3. Determine the medical standards for establishing  
28 the eligibility of children seeking comprehensive health care  
29 services from the plan based on medical priority.

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- 1           4. Coordinate a comprehensive delivery system to  
2 enable children to take maximum advantage of all available  
3 funds.
- 4           5. Administer and implement the plan.
- 5           6. Study the most effective methods of providing  
6 comprehensive health care services to all children in this  
7 state, including children with special health care needs.
- 8           7. Serve as a provider and principal case manager for  
9 children with special health care needs.
- 10           8. Report annually to the Governor, the President of  
11 the Senate, and the Speaker of the House of Representatives on  
12 its activities and recommend any changes in health care law  
13 and funding to improve access to health care for the children  
14 of this state.
- 15           9. Disseminate, to health care providers and to the  
16 public, information concerning the plan and the children  
17 eligible to receive the comprehensive health care services  
18 under the plan.
- 19           10. Monitor, study, and evaluate the operation of the  
20 plan, including, but not limited to, the adequacy and quality  
21 of the comprehensive health care services furnished to  
22 children under the plan, the cost of each type of service, and  
23 the effectiveness of cost-containment measures under the plan.
- 24           11. Conduct necessary investigations and inquiries and  
25 compel the submission of information, documents, and records  
26 it considers necessary to carry out its duties under this  
27 section.
- 28           12. Conduct other activities the department considers  
29 necessary to carry out the purposes of this section.
- 30           13. Develop a plan of operation.
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1           14. Adopt rules to administer the plan. The rules may  
2 include requirements for definitions of terms, program  
3 organization, and program description; responsibilities of  
4 clients; requirements for service applications, including  
5 required medical information; requirements for initial  
6 treatment and for continued treatment; billing and payment  
7 requirements for health care providers; requirements for  
8 qualification, appointments, verification, and emergency  
9 exceptions for health-professional consultants; general and  
10 diagnostic-specific standards for diagnostic and treatment  
11 facilities; and standards for the method of service delivery,  
12 including consultant services, respect-for-privacy  
13 considerations, examination requirements, family support  
14 plans, and clinic design.

15           (b) The department, after providing notice to  
16 families, health care providers, and others, may hold hearings  
17 in connection with any action that it proposes to take under  
18 this section.

19           Section 2. This act shall take effect July 1, 2006.

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22           SENATE SUMMARY

23           Creates a universal health care plan for children.  
24           Provides for a single, publicly financed statewide  
25           program to provide medically necessary health services  
26           for all children in the state without cost to the child  
27           or his or her family. Requires the Department of Health  
28           to administer the plan. Directs the department to perform  
29           certain specified activities and responsibilities.  
30           Directs the department to adopt rules to administer the  
31           plan. Authorizes the department to hold public hearings.