

By Senator Wilson

33-00061-08

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1 A bill to be entitled

2 An act relating to infant eye care; amending s. 383.04,  
3 F.S.; requiring certain eye examinations for all infants  
4 born in hospitals in the state; revising an exception to  
5 the applicability of certain requirements concerning  
6 infant eye care; amending s. 383.07, F.S.; clarifying the  
7 application of a penalty; amending ss. 627.6416 and  
8 641.31, F.S.; providing that coverage for children under  
9 health insurance policies and health maintenance  
10 organization contracts must include certain eye  
11 examinations for infants and children; providing that the  
12 act fulfills an important state interest; providing for  
13 application; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Section 383.04, Florida Statutes, is amended to  
18 read:

19 383.04 Prophylactic required for eyes of infants.--

20 (1) Every physician, midwife, or other person in attendance  
21 at the birth of a child in the state shall ~~is required to~~ instill  
22 or have instilled into the eyes of the baby within 1 hour after  
23 birth an effective prophylactic recommended by the Committee on  
24 Infectious Diseases of the American Academy of Pediatrics for the  
25 prevention of neonatal ophthalmia.

26 (2) Each child born in a hospital in the state must, before  
27 being discharged from the hospital, receive an eye examination  
28 using an ophthalmoscope and dilation of the pupils for detection  
29 of pediatric congenital and ocular abnormalities.

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30           (3) This section does not apply to cases where the parents  
31 file written objections with the physician, midwife, or other  
32 person in attendance at the birth of a child ~~written objections~~  
33 ~~on account of religious beliefs contrary to the use of drugs.~~ In  
34 such case the physician, midwife, or other person in attendance  
35 shall maintain a record that such measures were or were not  
36 employed and attach thereto any written objection.

37           Section 2. Section 383.07, Florida Statutes, is amended to  
38 read:

39           383.07 Penalty for violation.--Any person who fails to  
40 comply with the provisions of s. 383.04(1) or s. 383.06 commits  
41 ~~ss. 383.04-383.06 shall be guilty of~~ a misdemeanor of the second  
42 degree, punishable as provided in s. 775.083.

43           Section 3. Paragraph (a) of subsection (2) of section  
44 627.6416, Florida Statutes, is amended to read:

45           627.6416 Coverage for child health supervision services.--

46           (2) As used in this section, the term "child health  
47 supervision services" means physician-delivered or physician-  
48 supervised services that include, at a minimum, services  
49 delivered at the intervals and scope stated in this section.

50           (a) Child health supervision services must include periodic  
51 visits that ~~which shall~~ include a history;; a physical  
52 examination;; a developmental assessment and anticipatory  
53 guidance;; ~~and~~ appropriate immunizations and laboratory tests;;  
54 and eye examinations at birth, at 6 to 8 weeks of age, and at 6  
55 to 9 months of age, using an ophthalmoscope and dilation of the  
56 pupils for detection of pediatric congenital and ocular  
57 abnormalities and developmental abnormalities. Such services and  
58 periodic visits shall be provided in accordance with prevailing

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59 | medical standards consistent with the Recommendations for  
60 | Preventive Pediatric Health Care of the American Academy of  
61 | Pediatrics.

62 |       Section 4. Subsection (30) of section 641.31, Florida  
63 | Statutes, is amended to read:

64 |       641.31 Health maintenance contracts.--

65 |       (30) (a) All health maintenance contracts which provide  
66 | coverage, benefits, or services for a member of the family of the  
67 | subscriber must, as to such family member's coverage, benefits,  
68 | or services, also provide that the benefits applicable for  
69 | children include coverage for child health supervision services  
70 | from the moment of birth to age 16 years.

71 |       (b) As used in this subsection, the term "child health  
72 | supervision services" means physician-delivered or physician-  
73 | supervised services that include, at a minimum, services  
74 | delivered at the intervals and scope stated in this subsection.

75 |       1. Child health supervision services must include periodic  
76 | visits that ~~which shall~~ include a history;; a physical  
77 | examination;; a developmental assessment and anticipatory  
78 | guidance;; ~~and~~ appropriate immunizations and laboratory tests;;  
79 | and eye examinations at birth, at 6 to 8 weeks of age, and at 6  
80 | to 9 months of age, using an ophthalmoscope and dilation of the  
81 | pupils for detection of pediatric congenital and ocular  
82 | abnormalities and developmental abnormalities. Such services and  
83 | periodic visits shall be provided in accordance with prevailing  
84 | medical standards consistent with the Recommendations for  
85 | Preventive Pediatric Health Care of the American Academy of  
86 | Pediatrics.

87 |       2. Minimum benefits may be limited to one visit payable to

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88 | one provider for all of the services provided at each visit cited  
89 | in this subsection.

90 |       Section 5. The Legislature finds that this act fulfills an  
91 | important state interest.

92 |       Section 6. This act shall take effect July 1, 2008, and  
93 | applies to policies and contracts issued or renewed on or after  
94 | that date.