



789598

LEGISLATIVE ACTION

|                     |   |       |
|---------------------|---|-------|
| Senate              | . | House |
|                     | . |       |
|                     | . |       |
| Floor: AD/CR        | . |       |
| 05/08/2009 11:57 AM | . |       |
|                     | . |       |

---

The Conference Committee on CS for SB 1662 recommended the following:

**Senate Conference Committee Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Present subsections (3), (4), and (5) of section 154.02, Florida Statutes, are renumbered as subsections (4), (5), and (6), respectively, a new subsection (3) is added to that section, and paragraph (b) of present subsection (5) of that section is amended, to read:

154.02 County Health Department Trust Fund.—



789598

12           (3) Funds from the County Health Department Trust Fund may  
13 be expended by the Department of Health for the respective  
14 county health departments in accordance with budgets and plans  
15 agreed upon by the county authorities of each county and the  
16 Department of Health.

17           ~~(6)-(5)~~ At a minimum, the trust fund shall consist of:

18           (b) An emergency reserve of \$500,000, derived from an  
19 annual assessment on county health department funds based upon  
20 their proportionate share of state general revenue, maintained  
21 for county health departments to respond to public health  
22 emergencies such as epidemics and natural disasters. ~~The~~  
23 ~~emergency reserve shall be increased each July 1 by the increase~~  
24 ~~in the Consumer Price Index that occurred during the previous 12~~  
25 ~~months.~~

26           Section 2. Section 216.2625, Florida Statutes, is repealed.

27           Section 3. Subsection (1) of section 381.0202, Florida  
28 Statutes, is amendment to read:

29           381.0202 Laboratory services.—

30           (1) The department shall ~~may~~ establish and maintain, in  
31 suitable and convenient places in the state, laboratories for  
32 microbiological and chemical analyses and any other purposes it  
33 determines necessary for the protection of the public health.

34           Section 4. Subsection (2) of section 381.0203, Florida  
35 Statutes, is amended to read:

36           381.0203 Pharmacy services.—

37           (2) The department shall ~~may~~ establish and maintain a  
38 pharmacy services program, including, but not limited to:

39           (a) A central pharmacy to support pharmaceutical services  
40 provided by the county health departments, including



789598

41 pharmaceutical repackaging, dispensing, and the purchase and  
42 distribution of immunizations and other pharmaceuticals.

43 (b) Regulation of drugs, cosmetics, and household products  
44 pursuant to chapter 499.

45 (c) Consultation to county health departments as required  
46 by s. 154.04(1)(c).

47 (d) A contraception distribution program which shall be  
48 implemented, to the extent resources permit, through the  
49 licensed pharmacies of county health departments. A woman who is  
50 eligible for participation in the contraceptive distribution  
51 program is deemed a patient of the county health department.

52 1. To be eligible for participation in the program a woman  
53 must:

54 a. Be a client of the department or the Department of  
55 Children and Family Services.

56 b. Be of childbearing age with undesired fertility.

57 c. Have an income between 150 and 200 percent of the  
58 federal poverty level.

59 d. Have no Medicaid benefits or applicable health insurance  
60 benefits.

61 e. Have had a medical examination by a licensed health care  
62 provider within the past 6 months.

63 f. Have a valid prescription for contraceptives that are  
64 available through the contraceptive distribution program.

65 g. Consent to the release of necessary medical information  
66 to the county health department.

67 2. Fees charged for the contraceptives under the program  
68 must cover the cost of purchasing and providing contraceptives  
69 to women participating in the program.



789598

70           3. The department may adopt rules to administer this  
71 program.

72           Section 5. Section 382.003, Florida Statutes, is amended to  
73 read:

74           382.003 Powers and duties of the department.—The department  
75 shall ~~may~~:

76           (1) Establish an Office of Vital Statistics under the  
77 direction of a State Registrar for the uniform and efficient  
78 registration, compilation, storage, and preservation of all  
79 vital records in the state.

80           (2) Procure the complete registration of all vital records  
81 in each registration district and in the Office of Vital  
82 Statistics.

83           (3) Uniformly enforce the law throughout the state.

84           (4) Establish registration districts throughout the state,  
85 which districts may be consolidated or subdivided to facilitate  
86 registration.

87           (5) Appoint a local registrar of vital statistics for each  
88 registration district in the state.

89           (6) Investigate cases of irregularity or violation of law,  
90 and all local registrars of vital statistics shall aid the  
91 department in such investigations. When necessary, the  
92 department shall report cases of violations of any of the  
93 provisions of this chapter to the state attorney in the  
94 registration district in which the violation occurs.

95           (7) Approve all forms used in registering, recording,  
96 certifying, and preserving vital records, or in otherwise  
97 carrying out the purposes of this chapter, and no other forms  
98 shall be used other than those approved by the department. The



789598

99 department is responsible for the careful examination of the  
100 certificates received monthly from the local registrars and  
101 marriage certificates and dissolution of marriage reports  
102 received from the circuit and county courts. A certificate that  
103 is complete and satisfactory shall be accepted and given a state  
104 file number and considered a state-filed record. If any such  
105 certificates are incomplete or unsatisfactory, the department  
106 shall require further information to be supplied as may be  
107 necessary to make the record complete and satisfactory. All  
108 physicians, midwives, informants, or funeral directors, and all  
109 other persons having knowledge of the facts, are required to  
110 supply, upon a form approved by the department or upon the  
111 original certificate, such information as they may possess  
112 regarding any vital record.

113 (8) Prepare and publish an annual report of vital  
114 statistics and such other reports as may be required.

115 (9) Appoint one or more suitable persons to act as  
116 subregistrars, who shall be authorized to receive death  
117 certificates and fetal death certificates and to issue burial  
118 permits in and for such portions of one or more districts as may  
119 be designated. A subregistrar may be removed from office by the  
120 department for neglect of or failure to perform his or her duty  
121 in accordance with this chapter.

122 (10) Accept, use, and produce all records, reports, and  
123 documents necessary for carrying out the provisions of this  
124 chapter, in paper or electronic form, and adopt and enforce all  
125 rules necessary for the acceptance, use, production, issuance,  
126 recording, maintenance, and processing of such records, reports,  
127 and documents, and for carrying out the provisions of ss.



789598

128 382.004-382.0135 and ss. 382.016-382.019.

129 (11) By rule require that forms, documents, and information  
130 submitted to the department in the creation or amendment of a  
131 vital record be under oath.

132 Section 6. This act shall take effect July 1, 2009.

133

134 ===== T I T L E A M E N D M E N T =====

135 And the title is amended as follows:

136 Delete everything before the enacting clause  
137 and insert:

138 A bill to be entitled

139 An act relating to the Department of Health; amending  
140 s. 154.02, F.S.; providing for additional uses of  
141 funds in the County Health Department Trust Fund;  
142 deleting a provision increasing the emergency reserve  
143 each year in line with increases in the Consumer Price  
144 Index; repealing s. 216.2625, F.S., relating to  
145 disbursement of Department of Health trust funds and  
146 appropriation of authorized positions; amending s.  
147 381.0202, F.S.; requiring the Department of Health to  
148 establish and maintain laboratories for  
149 microbiological and chemical analyses; amending s.  
150 381.0203, F.S.; requiring the Department of Health to  
151 establish and maintain a pharmacy services program;  
152 amending s. 382.003, F.S.; requiring the Department of  
153 Health to establish an Office of Vital Statistics;  
154 providing an effective date.