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1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 154.02, F.S.; providing for additional uses of
4 funds in the County Health Department Trust Fund;
5 deleting a provision increasing the emergency reserve
6 each year in line with increases in the Consumer Price
7 Index; repealing s. 216.2625, F.S., relating to
8 disbursement of Department of Health trust funds and
9 appropriation of authorized positions; amending s.
10 381.0202, F.S.; requiring the Department of Health to
11 establish and maintain laboratories for
12 microbiological and chemical analyses; amending s.
13 381.0203, F.S.; requiring the Department of Health to
14 establish and maintain a pharmacy services program:
15 amending s. 382.003, F.S.; requiring the Department of
16 Health to establish an Office of Vital Statistics;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Present subsections (3), (4), and (5) of section
22 154.02, Florida Statutes, are renumbered as subsections (4),
23 (5), and (6), respectively, a new subsection (3) is added to
24 that section, and paragraph (b) of present subsection (5) of
25 that section is amended, to read:

26 154.02 County Health Department Trust Fund.—

27 (3) Funds from the County Health Department Trust Fund may
28 be expended by the Department of Health for the respective
29 county health departments in accordance with budgets and plans

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30 agreed upon by the county authorities of each county and the
31 Department of Health.

32 ~~(6)~~~~(5)~~ At a minimum, the trust fund shall consist of:

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

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 Section 216.2625, Florida Statutes, is repealed.

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

44 381.0202 Laboratory services.—

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

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

51 381.0203 Pharmacy services.—

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

54 (a) A central pharmacy to support pharmaceutical services
55 provided by the county health departments, including
56 pharmaceutical repackaging, dispensing, and the purchase and
57 distribution of immunizations and other pharmaceuticals.

58 (b) Regulation of drugs, cosmetics, and household products

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59 pursuant to chapter 499.

60 (c) Consultation to county health departments as required
61 by s. 154.04(1)(c).

62 (d) A contraception distribution program which shall be
63 implemented, to the extent resources permit, through the
64 licensed pharmacies of county health departments. A woman who is
65 eligible for participation in the contraceptive distribution
66 program is deemed a patient of the county health department.

67 1. To be eligible for participation in the program a woman
68 must:

69 a. Be a client of the department or the Department of
70 Children and Family Services.

71 b. Be of childbearing age with undesired fertility.

72 c. Have an income between 150 and 200 percent of the
73 federal poverty level.

74 d. Have no Medicaid benefits or applicable health insurance
75 benefits.

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

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

80 g. Consent to the release of necessary medical information
81 to the county health department.

82 2. Fees charged for the contraceptives under the program
83 must cover the cost of purchasing and providing contraceptives
84 to women participating in the program.

85 3. The department may adopt rules to administer this
86 program.

87 Section 5. Section 382.003, Florida Statutes, is amended to

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88 read:

89 382.003 Powers and duties of the department.—The department
90 shall ~~may~~:

91 (1) Establish an Office of Vital Statistics under the
92 direction of a State Registrar for the uniform and efficient
93 registration, compilation, storage, and preservation of all
94 vital records in the state.

95 (2) Procure the complete registration of all vital records
96 in each registration district and in the Office of Vital
97 Statistics.

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

99 (4) Establish registration districts throughout the state,
100 which districts may be consolidated or subdivided to facilitate
101 registration.

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

104 (6) Investigate cases of irregularity or violation of law,
105 and all local registrars of vital statistics shall aid the
106 department in such investigations. When necessary, the
107 department shall report cases of violations of any of the
108 provisions of this chapter to the state attorney in the
109 registration district in which the violation occurs.

110 (7) Approve all forms used in registering, recording,
111 certifying, and preserving vital records, or in otherwise
112 carrying out the purposes of this chapter, and no other forms
113 shall be used other than those approved by the department. The
114 department is responsible for the careful examination of the
115 certificates received monthly from the local registrars and
116 marriage certificates and dissolution of marriage reports

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117 received from the circuit and county courts. A certificate that
118 is complete and satisfactory shall be accepted and given a state
119 file number and considered a state-filed record. If any such
120 certificates are incomplete or unsatisfactory, the department
121 shall require further information to be supplied as may be
122 necessary to make the record complete and satisfactory. All
123 physicians, midwives, informants, or funeral directors, and all
124 other persons having knowledge of the facts, are required to
125 supply, upon a form approved by the department or upon the
126 original certificate, such information as they may possess
127 regarding any vital record.

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

130 (9) Appoint one or more suitable persons to act as
131 subregistrars, who shall be authorized to receive death
132 certificates and fetal death certificates and to issue burial
133 permits in and for such portions of one or more districts as may
134 be designated. A subregistrar may be removed from office by the
135 department for neglect of or failure to perform his or her duty
136 in accordance with this chapter.

137 (10) Accept, use, and produce all records, reports, and
138 documents necessary for carrying out the provisions of this
139 chapter, in paper or electronic form, and adopt and enforce all
140 rules necessary for the acceptance, use, production, issuance,
141 recording, maintenance, and processing of such records, reports,
142 and documents, and for carrying out the provisions of ss.
143 382.004-382.0135 and ss. 382.016-382.019.

144 (11) By rule require that forms, documents, and information
145 submitted to the department in the creation or amendment of a

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146 vital record be under oath.

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