

By Senator Detert

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1 A bill to be entitled
 2 An act relating to the screening of newborns; amending
 3 s. 383.14, F.S.; authorizing the Department of Health
 4 to charge a fee for each live birth to cover the
 5 administrative costs incurred in providing for
 6 followup evaluation of abnormal screening results;
 7 deleting a requirement that the department certify the
 8 annual costs of the newborn screening program in its
 9 legislative budget request; requiring that the
 10 department be reimbursed by Medicaid for newborn
 11 screening tests and followup reevaluations as a
 12 covered benefit under Medicaid; requiring health
 13 insurance policies and health maintenance contracts,
 14 except for supplemental policies, to compensate the
 15 department for newborn screening tests at the Medicaid
 16 rate; providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Paragraph (g) of subsection (3) of section
 21 383.14, Florida Statutes, is amended, and paragraph (i) is added
 22 to that subsection, to read:

23 383.14 Screening for metabolic disorders, other hereditary
 24 and congenital disorders, and environmental risk factors.—

25 (3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.—The department
 26 shall administer and provide certain services to implement the
 27 provisions of this section and shall:

28 (g) Have the authority to charge and collect ~~fees for the~~
 29 ~~administration of the newborn screening program authorized in~~

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30 ~~this section, as follows:~~

31 ~~1. a fee not to exceed \$15 per year will be charged for~~
32 ~~each live birth, as recorded by the Office of Vital Statistics,~~
33 ~~occurring in a hospital licensed under part I of chapter 395 or~~
34 ~~a birth center licensed under s. 383.305 for purposes of~~
35 ~~administering the newborn screening program authorized in this~~
36 ~~section per year. The department shall calculate the annual~~
37 ~~assessment for each hospital and birth center, and this~~
38 ~~assessment must be paid in equal amounts quarterly. Quarterly,~~
39 ~~the department shall generate and mail to each hospital and~~
40 ~~birth center a statement of the amount due. Administrative costs~~
41 ~~that are incurred by the department in providing for followup~~
42 ~~evaluation of abnormal screening results, including the costs of~~
43 ~~confirmatory testing, shall be paid from this fee.~~

44 ~~2. As part of the department's legislative budget request~~
45 ~~prepared pursuant to chapter 216, the department shall submit a~~
46 ~~certification by the department's inspector general, or the~~
47 ~~director of auditing within the inspector general's office, of~~
48 ~~the annual costs of the uniform testing and reporting procedures~~
49 ~~of the newborn screening program. In certifying the annual~~
50 ~~costs, the department's inspector general or the director of~~
51 ~~auditing within the inspector general's office shall calculate~~
52 ~~the direct costs of the uniform testing and reporting~~
53 ~~procedures, including applicable administrative costs.~~
54 ~~Administrative costs shall be limited to those department costs~~
55 ~~which are reasonably and directly associated with the~~
56 ~~administration of the uniform testing and reporting procedures~~
57 ~~of the newborn screening program.~~

58 (i) Be reimbursed by the Medicaid Program Office at the

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59 Medicaid rate for newborn screening tests, and any medically
60 necessary followup reevaluations leading to a diagnosis, as a
61 covered benefit under Medicaid. For a Medicaid patient enrolled
62 in a health maintenance organization, the department shall be
63 reimbursed directly by the Medicaid Program Office at the
64 Medicaid rate. These services are not considered covered
65 services for purposes of establishing the payment rate for
66 Medicaid health maintenance organizations. All health insurance
67 policies and health maintenance contracts as provided under ss.
68 627.6416, 627.6579, and 641.31(30), except for supplemental
69 policies, shall compensate the department for newborn screening
70 tests at the Medicaid rate.

71
72 All provisions of this subsection must be coordinated with the
73 provisions and plans established under this chapter, chapter
74 411, and Pub. L. No. 99-457.

75 Section 2. This act shall take effect July 1, 2010.