By Senator Sachs

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1   A bill to be entitled
2   An act relating to infant eye care; amending s.
3   383.04, F.S.; requiring certain eye examinations for
4   all infants born in hospitals in the state; exempting
5   this requirement from s. 383.07, F.S., relating to a
6   penalty; revising an exception to certain
7   applicability requirements concerning infant eye care;
8   amending ss. 627.6416 and 641.31, F.S.; providing that
9   coverage for children under health insurance policies
10   and health maintenance organization contracts must
11   include certain eye examinations for infants and
12   children; providing an effective date.
13
14   WHEREAS, it is the policy of the state to make every effort
15 to detect pediatric congenital ocular abnormalities that lead to
16 premature death, blindness, or vision impairment unless treated
17 soon after birth, and
18   WHEREAS, treatable congenital ocular diseases occur
19 frequently and require increased early detection efforts, and
20   WHEREAS, early detection significantly enhances the ability
21 to prevent serious damage from congenital abnormalities of the
22 eye which, left undetected and untreated, may result in
23 blindness or life-threatening diseases, or both, and
24   WHEREAS, retinoblastoma is a childhood cancer arising in
25 immature retinal cells inside the eye and accounts for
26 approximately 13 percent of all cancers in infants, and most
27 children are diagnosed before they are two and one-half years of
28 age, and
29   WHEREAS, increased emphasis on optimal examination methods

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30 for newborns, such as dilation of the eye with eye drops,

31 darkened examination rooms, and the use of an ophthalmoscope,

32 would facilitate detection of the abnormal disease process

33 inside the eye of the newborn, and

34   WHEREAS, early detection and referral of an abnormal red

35 reflex pupillary screen would allow early diagnosis of

36 congenital cataract or retinoblastoma which, if recognized and

37 treated as soon as possible after birth, could prevent long-term

38 disability, and

39   WHEREAS, early diagnosis and intervention can reduce the

40 number of visually impaired citizens and reduce the amount of

41 public expenditures for health care, special education, and

42 related services, NOW, THEREFORE,

43

44 Be It Enacted by the Legislature of the State of Florida:

45

46   Section 1. Section 383.04, Florida Statutes, is amended to

47 read:

48   383.04 Prophylactic required for eyes of infants.—Every

49 physician, midwife, or other person in attendance at the birth

50 of a child in the state shall is required to instill or have

51 instilled into the eyes of the baby within 1 hour after birth an

52 effective prophylactic recommended by the Committee on

53 Infectious Diseases of the American Academy of Pediatrics for

54 the prevention of neonatal ophthalmia. In addition, each baby

55 born in a hospital in the state must, before being discharged

56 from the hospital, receive an eye examination using an

57 ophthalmoscope and dilation of the pupils for detection of

58 pediatric congenital and ocular abnormalities; however, this

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59 requirement is not subject to s. 383.07. This section does not

60 apply to cases where the parents file a written objection with

61 the physician, midwife, or other person in attendance at the

62 birth of a child ~~written objections on account of religious~~

63 ~~beliefs contrary to the use of drugs~~. In such case the

64 physician, midwife, or other person in attendance shall maintain

65 a record that such measures were or were not employed and attach

66 thereto any written objection.

67   Section 2. Paragraph (a) of subsection (2) of section

68 627.6416, Florida Statutes, is amended to read:

69   627.6416 Coverage for child health supervision services.—

70   (2) As used in this section, the term "child health

71 supervision services" means physician-delivered or physician-

72 supervised services that include, at a minimum, services

73 delivered at the intervals and scope stated in this section.

74   (a) Child health supervision services must include periodic

75 visits that ~~which shall~~ include a history;~~,~~ a physical

76 examination;~~,~~ a developmental assessment and anticipatory

77 guidance;~~, and~~ appropriate immunizations and laboratory tests;

78 and eye examinations at birth, using an ophthalmoscope and

79 dilation of the pupils for detection of pediatric congenital and

80 ocular abnormalities and developmental abnormalities. Such

81 services and periodic visits shall be provided in accordance

82 with prevailing medical standards consistent with the

83 Recommendations for Preventive Pediatric Health Care of the

84 American Academy of Pediatrics.

85   Section 3. Subsection (30) of section 641.31, Florida

86 Statutes, is amended to read:

87   641.31 Health maintenance contracts.—

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88   (30)(a) All health maintenance contracts which provide
89   coverage, benefits, or services for a member of the family of
90   the subscriber must, as to such family member's coverage,
91   benefits, or services, also provide that the benefits applicable
92   for children include coverage for child health supervision
93   services from the moment of birth to age 16 years.
94   (b) As used in this subsection, the term "child health
95   supervision services" means physician-delivered or physician-
96   supervised services that include, at a minimum, services
97   delivered at the intervals and scope stated in this subsection.
98   1. Child health supervision services must include periodic
99   visits that ~~which shall~~ include a history;~~,~~ a physical
100 examination;~~,~~ a developmental assessment and anticipatory
101 guidance;~~, and~~ appropriate immunizations and laboratory tests;
102 and eye examinations at birth, using an ophthalmoscope and
103 dilation of the pupils for detection of pediatric congenital and
104 ocular abnormalities and developmental abnormalities. Such
105 services and periodic visits shall be provided in accordance
106 with prevailing medical standards consistent with the
107 Recommendations for Preventive Pediatric Health Care of the
108 American Academy of Pediatrics.
109   2. Minimum benefits may be limited to one visit payable to
110 one provider for all of the services provided at each visit
111 cited in this subsection.
112   Section 4. This act shall take effect July 1, 2011.