

HB 793

2011

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; exempting this requirement
5 from s. 383.07, F.S., relating to a penalty; revising an
6 exception to certain applicability requirements concerning
7 infant eye care; amending ss. 627.6416 and 641.31, F.S.;
8 providing that coverage for children under health
9 insurance policies and health maintenance organization
10 contracts must include certain eye examinations for
11 infants and children; providing an effective date.

12
13 WHEREAS, it is the policy of the state to make every effort
14 to detect pediatric congenital ocular abnormalities that lead to
15 premature death, blindness, or vision impairment unless treated
16 soon after birth, and

17 WHEREAS, treatable congenital ocular diseases occur
18 frequently and require increased early detection efforts, and

19 WHEREAS, early detection significantly enhances the ability
20 to prevent serious damage from congenital abnormalities of the
21 eye which, left undetected and untreated, may result in
22 blindness or life-threatening diseases, or both, and

23 WHEREAS, retinoblastoma is a childhood cancer arising in
24 immature retinal cells inside the eye and accounts for
25 approximately 13 percent of all cancers in infants and most
26 children are diagnosed before they are two and one-half years of
27 age, and

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28 WHEREAS, increased emphasis on optimal examination methods
29 for newborns, such as dilation of the eye with eye drops,
30 darkened examination rooms, and the use of an ophthalmoscope
31 would facilitate detection of the abnormal disease process
32 inside the eye of the newborn, and

33 WHEREAS, early detection and referral of an abnormal red
34 reflex pupillary screen would allow early diagnosis of
35 congenital cataract or retinoblastoma which, if recognized and
36 treated as soon as possible after birth, could prevent long-term
37 disability, and

38 WHEREAS, early diagnosis and intervention can reduce the
39 number of visually impaired citizens and reduce the amount of
40 public expenditures for health care, special education, and
41 related services, NOW, THEREFORE,

42

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

44

45 Section 1. Section 383.04, Florida Statutes, is amended to
46 read:

47 383.04 Prophylactic required for eyes of infants.—Every
48 physician, midwife, or other person in attendance at the birth
49 of a child in the state shall ~~is required to~~ instill or have
50 instilled into the eyes of the baby within 1 hour after birth an
51 effective prophylactic recommended by the Committee on
52 Infectious Diseases of the American Academy of Pediatrics for
53 the prevention of neonatal ophthalmia. In addition, each baby
54 born in a hospital in the state must, before being discharged
55 from the hospital, receive an eye examination using an

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56 ophthalmoscope and dilation of the pupils for detection of
57 pediatric congenital and ocular abnormalities; however, this
58 requirement is not subject to s. 383.07. This section does not
59 apply to cases where the parents file a written objection with
60 the physician, midwife, or other person in attendance at the
61 birth of a child ~~written objections on account of religious~~
62 ~~beliefs contrary to the use of drugs.~~ In such case the
63 physician, midwife, or other person in attendance shall maintain
64 a record that such measures were or were not employed and attach
65 thereto any written objection.

66 Section 2. Paragraph (a) of subsection (2) of section
67 627.6416, Florida Statutes, is amended to read:

68 627.6416 Coverage for child health supervision services.-

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

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

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84 Section 3. Subsection (30) of section 641.31, Florida
85 Statutes, is amended to read:

86 641.31 Health maintenance contracts.—

87 (30) (a) All health maintenance contracts which provide
88 coverage, benefits, or services for a member of the family of
89 the subscriber must, as to such family member's coverage,
90 benefits, or services, also provide that the benefits applicable
91 for children include coverage for child health supervision
92 services from the moment of birth to age 16 years.

93 (b) As used in this subsection, the term "child health
94 supervision services" means physician-delivered or physician-
95 supervised services that include, at a minimum, services
96 delivered at the intervals and scope stated in this subsection.

97 1. Child health supervision services must include periodic
98 visits that ~~which shall~~ include a history;; a physical
99 examination;; a developmental assessment and anticipatory
100 guidance;; and appropriate immunizations and laboratory tests;
101 and eye examinations at birth, using an ophthalmoscope and
102 dilation of the pupils for detection of pediatric congenital and
103 ocular abnormalities and developmental abnormalities. Such
104 services and periodic visits shall be provided in accordance
105 with prevailing medical standards consistent with the
106 Recommendations for Preventive Pediatric Health Care of the
107 American Academy of Pediatrics.

108 2. Minimum benefits may be limited to one visit payable to
109 one provider for all of the services provided at each visit
110 cited in this subsection.

111 Section 4. This act shall take effect July 1, 2011.