

By the Committees on Appropriations; and Health Policy; and Senators Montford, Harrell, Berman, Cruz, and Braynon

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1 A bill to be entitled
2 An act relating to health care for children; amending
3 s. 383.14, F.S.; requiring the Department of Health to
4 create and make available electronically a pamphlet
5 with specified information; amending s. 383.318, F.S.;
6 requiring birth centers to provide the informational
7 pamphlet to clients during postpartum care; amending
8 s. 395.1053, F.S.; requiring hospitals that provide
9 birthing services to provide the informational
10 pamphlet to parents during postpartum education;
11 creating s. 456.0496, F.S.; requiring certain health
12 care practitioners to ensure that the pamphlet is
13 provided to parents after a planned out-of-hospital
14 birth; amending s. 409.9071, F.S.; revising applicable
15 provisions for the reimbursement of school-based
16 services by the Agency for Health Care Administration
17 to certain school districts; deleting a requirement
18 specifying the use of certified state and local
19 education funds for school-based services; conforming
20 a provision to changes made by the act; deleting an
21 obsolete provision; amending s. 409.908, F.S.;
22 specifying the federal agency that may waive certain
23 school-based provider qualifications; providing an
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Paragraph (i) is added to subsection (3) of
29 section 383.14, Florida Statutes, to read:

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30 383.14 Screening for metabolic disorders, other hereditary
31 and congenital disorders, and environmental risk factors.—

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

35 (i) Create and make available electronically a pamphlet
36 with information on screening for, and the treatment of,
37 preventable infant and childhood eye and vision disorders,
38 including, but not limited to, retinoblastoma and amblyopia.

39
40 All provisions of this subsection must be coordinated with the
41 provisions and plans established under this chapter, chapter
42 411, and Pub. L. No. 99-457.

43 Section 2. Paragraph (i) is added to subsection (3) of
44 section 383.318, Florida Statutes, to read:

45 383.318 Postpartum care for birth center clients and
46 infants.—

47 (3) The birth center shall provide a postpartum evaluation
48 and followup care that includes all of the following:

49 (i) Provision of the informational pamphlet on infant and
50 childhood eye and vision disorders created by the department
51 pursuant to s. 383.14(3)(i).

52 Section 3. Section 395.1053, Florida Statutes, is amended
53 to read:

54 395.1053 Postpartum education.—A hospital that provides
55 birthing services shall incorporate information on safe sleep
56 practices and the possible causes of Sudden Unexpected Infant
57 Death into the hospital's postpartum instruction on the care of
58 newborns and provide to each parent the informational pamphlet

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59 on infant and childhood eye and vision disorders created by the
60 department pursuant to s. 383.14(3) (i).

61 Section 4. Section 456.0496, Florida Statutes, is created
62 to read:

63 456.0496 Provision of information to parents during planned
64 out-of-hospital births.—A health care practitioner who attends
65 an out-of-hospital birth must ensure that the informational
66 pamphlet on infant and childhood eye and vision disorders
67 created by the department pursuant to s. 383.14(3) (i) is
68 provided to each parent after such a birth.

69 Section 5. Subsection (1), paragraph (b) of subsection (2),
70 and subsection (6) of section 409.9071, Florida Statutes, are
71 amended to read:

72 409.9071 Medicaid provider agreements for school districts
73 certifying state match.—

74 (1) The agency shall reimburse school-based services as
75 provided in ss. 409.908(21) and 1011.70 ~~former s. 236.0812~~
76 pursuant to the rehabilitative services option provided under 42
77 U.S.C. s. 1396d(a) (13). For purposes of this section, billing
78 agent consulting services are ~~shall be~~ considered billing agent
79 services, as that term is used in s. 409.913(10), and, as such,
80 payments to such persons may ~~shall~~ not be based on amounts for
81 which they bill nor based on the amount a provider receives from
82 the Medicaid program. This provision may ~~shall~~ not restrict
83 privatization of Medicaid school-based services. Subject to any
84 limitations provided for in the General Appropriations Act, the
85 agency, in compliance with appropriate federal authorization,
86 shall develop policies and procedures and shall allow for
87 certification of state and local education funds that ~~which~~ have

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88 been provided for school-based services as specified in s.
89 1011.70 and authorized by a physician's order where required by
90 federal Medicaid law. ~~Any state or local funds certified~~
91 ~~pursuant to this section shall be for children with specified~~
92 ~~disabilities who are eligible for both Medicaid and part B or~~
93 ~~part H of the Individuals with Disabilities Education Act~~
94 ~~(IDEA), or the exceptional student education program, or who~~
95 ~~have an individualized educational plan.~~

96 (2) School districts that wish to enroll as Medicaid
97 providers and that certify state match in order to receive
98 federal Medicaid reimbursements for services, pursuant to
99 subsection (1), shall agree to:

100 (b) Develop and maintain the financial and other student
101 ~~individual education plan~~ records needed to document the
102 appropriate use of state and federal Medicaid funds.

103 ~~(6) Retroactive reimbursements for services as specified in~~
104 ~~former s. 236.0812 as of July 1, 1996, including reimbursement~~
105 ~~for the 1995-1996 and 1996-1997 school years, are subject to~~
106 ~~federal approval.~~

107 Section 6. Subsection (21) of section 409.908, Florida
108 Statutes, is amended to read:

109 409.908 Reimbursement of Medicaid providers.—Subject to
110 specific appropriations, the agency shall reimburse Medicaid
111 providers, in accordance with state and federal law, according
112 to methodologies set forth in the rules of the agency and in
113 policy manuals and handbooks incorporated by reference therein.
114 These methodologies may include fee schedules, reimbursement
115 methods based on cost reporting, negotiated fees, competitive
116 bidding pursuant to s. 287.057, and other mechanisms the agency

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117 considers efficient and effective for purchasing services or
118 goods on behalf of recipients. If a provider is reimbursed based
119 on cost reporting and submits a cost report late and that cost
120 report would have been used to set a lower reimbursement rate
121 for a rate semester, then the provider's rate for that semester
122 shall be retroactively calculated using the new cost report, and
123 full payment at the recalculated rate shall be effected
124 retroactively. Medicare-granted extensions for filing cost
125 reports, if applicable, shall also apply to Medicaid cost
126 reports. Payment for Medicaid compensable services made on
127 behalf of Medicaid eligible persons is subject to the
128 availability of moneys and any limitations or directions
129 provided for in the General Appropriations Act or chapter 216.
130 Further, nothing in this section shall be construed to prevent
131 or limit the agency from adjusting fees, reimbursement rates,
132 lengths of stay, number of visits, or number of services, or
133 making any other adjustments necessary to comply with the
134 availability of moneys and any limitations or directions
135 provided for in the General Appropriations Act, provided the
136 adjustment is consistent with legislative intent.

137 (21) The agency shall reimburse school districts that ~~which~~
138 certify the state match pursuant to ss. 409.9071 and 1011.70 for
139 the federal portion of the school district's allowable costs to
140 deliver the services, based on the reimbursement schedule. The
141 school district shall determine the costs for delivering
142 services as authorized in ss. 409.9071 and 1011.70 for which the
143 state match will be certified. Reimbursement of school-based
144 providers is contingent on such providers being enrolled as
145 Medicaid providers and meeting the qualifications contained in

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146 42 C.F.R. s. 440.110, unless otherwise waived by the United
147 States Department of Health and Human Services ~~federal Health~~
148 ~~Care Financing Administration~~. Speech therapy providers who are
149 certified through the Department of Education pursuant to rule
150 6A-4.0176, Florida Administrative Code, are eligible for
151 reimbursement for services that are provided on school premises.
152 Any employee of the school district who has been fingerprinted
153 and has received a criminal background check in accordance with
154 Department of Education rules and guidelines is ~~shall be~~ exempt
155 from any agency requirements relating to criminal background
156 checks.

157 Section 7. This act shall take effect July 1, 2020.