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LEGISLATIVE ACTION

Senate

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House

Senator Berman moved the following:

Senate Amendment (with title amendment)

Delete lines 74 - 200

and insert:

substantial and irreversible physical or mental impairment of a
major bodily or psychological function of the pregnant woman.

Section 2. Effective upon this act becoming a law, section
381.96, Florida Statutes, is amended to read:

381.96 Pregnancy support and wellness services.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Health.



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(b) "Eligible client" means any of the following:

1. A pregnant woman or a woman who suspects she is pregnant, and the family of such woman, who voluntarily seeks pregnancy support services and any woman who voluntarily seeks wellness services.

2. A woman who has given birth in the previous 12 months and her family.

3. A parent or parents or a legal guardian or legal guardians, and the families of such parents and legal guardians, for up to 12 months after the birth of a child or the adoption of a child younger than 3 years of age.

(c) "Florida Pregnancy Care Network, Inc.," or "network" means the not-for-profit statewide alliance of pregnancy support organizations that provide pregnancy support and wellness services through a comprehensive system of care to women and their families.

(d) "Pregnancy and parenting support services" means services that promote and encourage childbirth, including, but not limited to:

1. Direct client services, such as pregnancy testing, counseling, referral, training, and education for pregnant women and their families. A woman and her family shall continue to be eligible to receive direct client services for up to 12 months after the birth of the child.

2. Nonmedical material assistance that improves the pregnancy or parenting situation of families, including, but not limited to, clothing, car seats, cribs, formula, and diapers.

3. Counseling or mentoring, education materials, and classes regarding pregnancy, parenting, adoption, life skills,



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and employment readiness.

4. Network ~~Program~~ awareness activities, including a promotional campaign to educate the public about the pregnancy and parenting support services offered by the network and a website that provides information on the location of providers in the user's area and other available community resources.

5.3. Communication activities, including the operation and maintenance of a hotline or call center with a single statewide toll-free number that is available 24 hours a day for an eligible client to obtain the location and contact information for a pregnancy center located in the client's area.

(e) "Wellness services" means services or activities intended to maintain and improve health or prevent illness and injury, including, but not limited to, high blood pressure screening, anemia testing, thyroid screening, cholesterol screening, diabetes screening, and assistance with smoking cessation.

(2) DEPARTMENT DUTIES.—The department shall contract with the network for the management and delivery of pregnancy and parenting support services and wellness services to eligible clients.

(3) CONTRACT REQUIREMENTS.—The department contract shall specify the contract deliverables, including financial reports and other reports due to the department, timeframes for achieving contractual obligations, and any other requirements the department determines are necessary, such as staffing and location requirements. The contract shall require the network to:

(a) Establish, implement, and monitor a comprehensive



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70 system of care through subcontractors to meet the pregnancy and
71 parenting support and wellness needs of eligible clients.

72 (b) Establish and manage subcontracts with a sufficient
73 number of providers to ensure the availability of pregnancy and
74 parenting support services and wellness services for eligible
75 clients, and maintain and manage the delivery of such services
76 throughout the contract period.

77 (c) Spend at least 85 ~~90~~ percent of the contract funds on
78 pregnancy and parenting support services, excluding services
79 specified in subparagraph (1)(d)4., and wellness services.

80 (d) Offer wellness services through vouchers or other
81 appropriate arrangements that allow the purchase of services
82 from qualified health care providers.

83 (e) Require a background screening under s. 943.0542 for
84 all paid staff and volunteers of a subcontractor if such staff
85 or volunteers provide direct client services to an eligible
86 client who is a minor or an elderly person or who has a
87 disability.

88 (f) Annually monitor its subcontractors and specify the
89 sanctions that shall be imposed for noncompliance with the terms
90 of a subcontract.

91 (g) Subcontract only with providers that exclusively
92 promote and support childbirth.

93 (h) Ensure that informational materials provided to an
94 eligible client by a provider are current and accurate and cite
95 the reference source of any medical statement included in such
96 materials.

97 (i) Ensure that the department is provided with all
98 information necessary for the report required under subsection



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99 (5) .

100 (4) SERVICES.—Services provided pursuant to this section
101 must be provided in a noncoercive manner and may not include any
102 religious content.

103 (5) REPORT.—By July 1, 2024, and each year thereafter, the
104 department shall report to the Governor, the President of the
105 Senate, and the Speaker of the House of Representatives on the
106 amount and types of services provided by the network; the
107 expenditures for such services; and the number of, and
108 demographic information for, women, parents, and families served
109 by the network.

110 Section 3. Subsections (1), (2), (10), and (13) of section
111 390.0111, Florida Statutes, are amended to read:

112 390.0111 Termination of pregnancies.—

113 (1) TERMINATION AFTER GESTATIONAL AGE OF 6 ~~15~~ WEEKS; WHEN
114 ALLOWED.—A physician may not knowingly perform or induce a
115 termination of pregnancy if the physician determines the
116 gestational age of the fetus is more than 6 ~~15~~ weeks unless one
117 of the following conditions is met:

118 (a) Two physicians certify in writing that, in reasonable
119 medical judgment, the termination of the pregnancy is necessary
120 to save the pregnant woman's life or avert a serious risk of
121 substantial and irreversible physical or mental impairment of a
122 major bodily or psychological function of the pregnant woman
123 ~~other than a psychological condition.~~

124 (b) The physician certifies in writing that, in reasonable
125 medical judgment, there is a medical necessity for legitimate
126 emergency medical procedures for termination of the pregnancy to
127 save the pregnant woman's life or avert a serious risk of



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imminent substantial and irreversible physical or mental
impairment of a major bodily or psychological function of the
pregnant woman ~~other than a psychological condition~~, and another
physician is not available

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 21

and insert:

rather than 15 weeks; revising exceptions; providing
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