

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/SB 1770 — Donor Human Milk Bank Services

by Appropriations Committee and Senators Book and Stewart

The bill amends s. 409.906, F.S., to authorize the Florida Medicaid program to reimburse for donor human milk for hospital inpatient use. Under the bill, if a licensed physician, nurse practitioner, physician assistant, or dietitian orders donor human milk for an infant, Medicaid covers the provision of that treatment for infants who are medically or physically unable to receive maternal breast milk or whose mother is medically or physically unable to produce maternal breast milk or breastfeed, and who also meet specified eligibility factors. The infant must:

- Have a documented birth weight of 1,800 grams or less;
- Have a congenital or acquired condition and be at high risk for developing a feeding intolerance, necrotizing enterocolitis, or an infection; or
- Otherwise have a medical indication for a human milk diet.

The bill requires managed care plans contracted under the Managed Medical Assistance component of the Statewide Medicaid Managed Care program to cover donor human milk bank services.

The bill also requires the Agency for Health Care Administration (AHCA) to establish provider eligibility, by rule, and authorizes the AHCA to seek any necessary federal approvals to implement the new coverage benefit.

If approved by the Governor, these provisions take effect July 1, 2022

Vote: Senate 38-0; House 117-0