A bill to be entitled
An act relating to eye care for newborns and infants;
amending s. 383.04, F.S.; requiring a certain eye
examination for newborns; providing applicability;
amending s. 383.07, F.S.; clarifying application of a
criminal penalty; amending ss. 627.6416 and 641.31,
F.S.; requiring that coverage for children under
health insurance policies and health maintenance
contracts include certain eye examinations for
newborns and infants; providing an effective date.

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

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

383.04 Prophylactic and eye examination required for eyes
of newborns; exception infants.—
(1) Every physician, midwife, or other person in
attendance at the birth of a child in this the state shall is
required to instill or have instilled into the eyes of the
newborn baby within 1 hour after birth an effective prophylactic
recommended by the Committee on Infectious Diseases of the
American Academy of Pediatrics for the prevention of neonatal
ophthalmia.

(2) Before being discharged from the hospital, each child
born in a hospital in this state must receive an eye
examination, using a direct ophthalmoscope, in which the
newborn's pupils are dilated to allow detection of pediatric
congenital and ocular abnormalities and developmental
abnormalities.

This section does not apply if a parent of the newborn files a
written objection to the instillation of the prophylactic or a
written objection to the eye examination with a signed informed
consent explaining the risks associated with opting out of the
eye examination to cases where the parents file with the
physician, midwife, or other person in attendance at the birth
of a child written objections on account of religious beliefs
contrary to the use of drugs. If such an objection is filed, In
such case the physician, midwife, or other person in attendance
shall maintain a record that reflects that the instillation or
eye examination was not performed such measures were or were not
employed and shall attach the thereto any written objection.

Section 2. Section 383.07, Florida Statutes, is amended to
read:

383.07 Penalty for violation.—Any person who fails to
comply with s. 383.04(1) or s. 383.06 commits the provisions of
ss. 383.04–383.06 shall be guilty of a misdemeanor of the second
degree, punishable as provided in s. 775.083.

Section 3. Paragraph (a) of subsection (2) of section
627.6416, Florida Statutes, is amended to read:

627.6416  Coverage for child health supervision services.—

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

(a) Child health supervision services must include:

1. Periodic visits that shall include the taking of a history, a physical examination, a developmental assessment and anticipatory guidance, and appropriate immunizations and laboratory tests; and

2. Eye examinations, using a direct ophthalmoscope, at birth or within 2 weeks, at 6 to 8 weeks of age, and at 6 to 9 months of age in which the child's pupils are dilated to allow for detection of pediatric congenital and ocular abnormalities and developmental abnormalities.

Such services must and periodic visits shall be provided in accordance with prevailing medical standards consistent with the Recommendations for Preventive Pediatric Health Care of the American Academy of Pediatrics.

Section 4. Paragraph (b) of subsection (30) of section 641.31, Florida Statutes, is amended to read:

641.31  Health maintenance contracts.—

(30)
(b) As used in this subsection, the term "child health supervision services" means physician-delivered or physician-supervised services that include, at a minimum, services delivered at the intervals and scope stated in this subsection.

1. Child health supervision services must include:
   a. Periodic visits which shall include the taking of a history, a physical examination, a developmental assessment and anticipatory guidance, and appropriate immunizations and laboratory tests; and
   b. Eye examinations, using a direct ophthalmoscope, at birth or within 2 weeks, at 6 to 8 weeks of age, and at 6 to 9 months of age in which the child's pupils are dilated to allow for detection of pediatric congenital and ocular abnormalities and developmental abnormalities.

2. Such services and periodic visits must shall be provided in accordance with prevailing medical standards consistent with the Recommendations for Preventive Pediatric Health Care of the American Academy of Pediatrics.

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

Section 5. This act shall take effect July 1, 2020.