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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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03/10/2020 01:49 PM

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Senator Montford moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

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



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12 (i) Create and make available electronically a pamphlet
13 with information on screening for, and the treatment of,
14 preventable infant and childhood eye and vision disorders,
15 including, but not limited to, retinoblastoma and amblyopia.
16

17 All provisions of this subsection must be coordinated with the
18 provisions and plans established under this chapter, chapter
19 411, and Pub. L. No. 99-457.

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

22 383.318 Postpartum care for birth center clients and
23 infants.—

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

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

29 Section 3. Section 395.1053, Florida Statutes, is amended
30 to read:

31 395.1053 Postpartum education.—A hospital that provides
32 birthing services shall incorporate information on safe sleep
33 practices and the possible causes of Sudden Unexpected Infant
34 Death into the hospital's postpartum instruction on the care of
35 newborns and provide to each parent the informational pamphlet
36 on infant and childhood eye and vision disorders created by the
37 department pursuant to s. 383.14(3)(i).

38 Section 4. Section 456.0496, Florida Statutes, is created
39 to read:

40 456.0496 Provision of information to parents during planned



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41 out-of-hospital births.-A health care practitioner who attends
42 an out-of-hospital birth must ensure that the informational
43 pamphlet on infant and childhood eye and vision disorders
44 created by the department pursuant to s. 383.14(3) (i) is
45 provided to each parent after such a birth.

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

49 409.9071 Medicaid provider agreements for school districts
50 certifying state match.-

51 (1) The agency shall reimburse school-based services as
52 provided in ss. 409.908(21) and 1011.70 ~~former s. 236.0812~~
53 pursuant to the rehabilitative services option provided under 42
54 U.S.C. s. 1396d(a) (13). For purposes of this section, billing
55 agent consulting services are ~~shall be~~ considered billing agent
56 services, as that term is used in s. 409.913(10), and, as such,
57 payments to such persons may ~~shall~~ not be based on amounts for
58 which they bill nor based on the amount a provider receives from
59 the Medicaid program. This provision may ~~shall~~ not restrict
60 privatization of Medicaid school-based services. Subject to any
61 limitations provided for in the General Appropriations Act, the
62 agency, in compliance with appropriate federal authorization,
63 shall develop policies and procedures and shall allow for
64 certification of state and local education funds that ~~which~~ have
65 been provided for school-based services as specified in s.
66 1011.70 and authorized by a physician's order where required by
67 federal Medicaid law. ~~Any state or local funds certified~~
68 ~~pursuant to this section shall be for children with specified~~
69 ~~disabilities who are eligible for both Medicaid and part B or~~



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70 ~~part H of the Individuals with Disabilities Education Act~~
71 ~~(IDEA), or the exceptional student education program, or who~~
72 ~~have an individualized educational plan.~~

73 (2) School districts that wish to enroll as Medicaid
74 providers and that certify state match in order to receive
75 federal Medicaid reimbursements for services, pursuant to
76 subsection (1), shall agree to:

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

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

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

86 409.908 Reimbursement of Medicaid providers.—Subject to
87 specific appropriations, the agency shall reimburse Medicaid
88 providers, in accordance with state and federal law, according
89 to methodologies set forth in the rules of the agency and in
90 policy manuals and handbooks incorporated by reference therein.
91 These methodologies may include fee schedules, reimbursement
92 methods based on cost reporting, negotiated fees, competitive
93 bidding pursuant to s. 287.057, and other mechanisms the agency
94 considers efficient and effective for purchasing services or
95 goods on behalf of recipients. If a provider is reimbursed based
96 on cost reporting and submits a cost report late and that cost
97 report would have been used to set a lower reimbursement rate
98 for a rate semester, then the provider's rate for that semester



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99 shall be retroactively calculated using the new cost report, and
100 full payment at the recalculated rate shall be effected
101 retroactively. Medicare-granted extensions for filing cost
102 reports, if applicable, shall also apply to Medicaid cost
103 reports. Payment for Medicaid compensable services made on
104 behalf of Medicaid eligible persons is subject to the
105 availability of moneys and any limitations or directions
106 provided for in the General Appropriations Act or chapter 216.
107 Further, nothing in this section shall be construed to prevent
108 or limit the agency from adjusting fees, reimbursement rates,
109 lengths of stay, number of visits, or number of services, or
110 making any other adjustments necessary to comply with the
111 availability of moneys and any limitations or directions
112 provided for in the General Appropriations Act, provided the
113 adjustment is consistent with legislative intent.

114 (21) The agency shall reimburse school districts that ~~which~~
115 certify the state match pursuant to ss. 409.9071 and 1011.70 for
116 the federal portion of the school district's allowable costs to
117 deliver the services, based on the reimbursement schedule. The
118 school district shall determine the costs for delivering
119 services as authorized in ss. 409.9071 and 1011.70 for which the
120 state match will be certified. Reimbursement of school-based
121 providers is contingent on such providers being enrolled as
122 Medicaid providers and meeting the qualifications contained in
123 42 C.F.R. s. 440.110, unless otherwise waived by the United
124 States Department of Health and Human Services ~~federal Health~~
125 ~~Care Financing Administration~~. Speech therapy providers who are
126 certified through the Department of Education pursuant to rule
127 6A-4.0176, Florida Administrative Code, are eligible for



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128 reimbursement for services that are provided on school premises.
129 Any employee of the school district who has been fingerprinted
130 and has received a criminal background check in accordance with
131 Department of Education rules and guidelines is ~~shall be~~ exempt
132 from any agency requirements relating to criminal background
133 checks.

134 Section 7. Paragraph (a) of subsection (1) and subsection
135 (3) of section 1002.391, Florida Statutes, are amended to read:
136 1002.391 Auditory-oral education programs.—

137 (1) As used in this section, the term:

138 (a) "Auditory-oral education program" means a program that
139 develops and relies solely on listening skills and uses an
140 implant or assistive hearing device for the purpose of relying
141 on speech and spoken language skills as the method of
142 communication and uses faculty and supervisors certified as
143 listening and spoken language specialists each day the child is
144 in attendance.

145 (3) The level of services shall be determined by the
146 individual educational plan team or individualized family
147 support plan team, which includes the child's parent in
148 accordance with the rules of the State Board of Education and a
149 certified listening and spoken language specialist from the
150 family's chosen program. A child is eligible for services under
151 this section until the end of the school year in which he or she
152 reaches the age of 7 years or after grade 2, whichever comes
153 first.

154 Section 8. This act shall take effect July 1, 2020.

155

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



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157 And the title is amended as follows:

158 Delete everything before the enacting clause
159 and insert:

160 A bill to be entitled

161 An act relating to health care for children; amending
162 s. 383.14, F.S.; requiring the Department of Health to
163 create and make available electronically a pamphlet
164 with specified information; amending s. 383.318, F.S.;
165 requiring birth centers to provide the informational
166 pamphlet to clients during postpartum care; amending
167 s. 395.1053, F.S.; requiring hospitals that provide
168 birthing services to provide the informational
169 pamphlet to parents during postpartum education;
170 creating s. 456.0496, F.S.; requiring certain health
171 care practitioners to ensure that the pamphlet is
172 provided to parents after a planned out-of-hospital
173 birth; amending s. 409.9071, F.S.; revising applicable
174 provisions for the reimbursement of school-based
175 services by the Agency for Health Care Administration
176 to certain school districts; deleting a requirement
177 specifying the use of certified state and local
178 education funds for school-based services; conforming
179 a provision to changes made by the act; deleting an
180 obsolete provision; amending s. 409.908, F.S.;
181 specifying the federal agency that may waive certain
182 school-based provider qualifications; amending s.
183 1002.391, F.S.; revising the definition for the term
184 "auditory-oral education program"; requiring certain
185 individual educational plan teams and individualized



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family support plan teams to include a specified
specialist; providing an effective date.