

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 581 Swimming Lesson Voucher Program  
**SPONSOR(S):** Healthcare Regulation Subcommittee, Busatta Cabrera  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 544

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Healthcare Regulation Subcommittee	16 Y, 0 N, As CS	Curry	McElroy
2) Health Care Appropriations Subcommittee	14 Y, 0 N	Aderibigbe	Clark
3) Health & Human Services Committee	19 Y, 0 N	Curry	Calamas

### SUMMARY ANALYSIS

In Florida, drowning is the leading cause of accidental death for children under age five. In 2023, 94 children died in Florida from accidental drowning. Florida ranked highest in the country for unintentional drowning death rates for children ages zero to nine and third for children ages zero to 17 years of age. Studies show that swimming lessons can reduce the likelihood of child drownings.

CS/HB 581 creates the Swimming Lesson Voucher Program within the Department of Health (DOH) to increase water safety in Florida and to offer vouchers for swimming lessons, at no cost, to families with children ages four and under. The bill requires DOH to implement the voucher program and contract with swimming lesson vendors to establish a network of providers to participate in the voucher program.

The bill requires DOH to establish a method for the public to apply for vouchers and for determining applicant eligibility criteria. The bill requires vendors offering swimming lessons at a public pool that is owned or maintained by a county or municipality to participate in the program, if requested by DOH.

The bill requires DOH to issue vouchers for the program to eligible applicants, subject to specific appropriation, and authorizes DOH to seek grants or other public or private funding for the program. The bill requires DOH to adopt rules to implement the swimming lesson voucher program.

CS/HB 581 has an insignificant negative fiscal impact on DOH and no fiscal impact on local government.

The bill provides an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

##### Accidental Drownings

On average 3,500 to 4,000 people lose their lives to drowning each year in the United States (U.S.). That is an average of 10 fatal drownings per day.<sup>1</sup> For every fatal drowning, an estimated 5 to 10 individuals receive hospital related care for non-fatal drowning injuries. For children ages one to four, drowning is the leading cause of unintentional injury related death in the U.S.<sup>2</sup>

Drowning is also the leading cause of accidental death in Florida for children ages five and under.<sup>3</sup> In 2023, 94 children died in Florida from accidental drowning.<sup>4</sup> According to the Centers for Disease Control's national injury data, from 2018 to 2020 combined, Florida ranked highest in the country for unintentional drowning death rates for children ages zero to nine and third for children ages zero to 17.<sup>5</sup> According to the Department of Children and Families (DCF), teaching children water safety skills is important in reducing the number child drownings.<sup>6</sup>

##### Water Safety and Drowning Prevention

Water safety refers to the procedures, precautions, and policies associated with safety in, on and around bodies of water, where there is a risk of injury or drowning.<sup>7</sup> Components of water safety include supervision, creating barriers of protection to prevent access to water, swimming lessons, water safety training to improve water competency, and teaching emergency preparedness, such as training in cardiopulmonary resuscitation (CPR).<sup>8</sup> Water competency is the ability to anticipate, avoid, and survive common drowning situations.<sup>9</sup>

##### Swimming Lessons

Learning to swim is major component of water safety. It is also a key strategy for reducing accidental drowning deaths. The American Academy of Pediatrics recommends that children ages four and older learn to swim, including through swim lessons that provide instruction on swimming techniques and water survival skills taught by instructors certified through a nationally recognized curriculum.<sup>10</sup> Studies

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<sup>1</sup> National Drowning Prevention Alliance (NDPA), *Drowning Quick Facts*, available at <https://ndpa.org/drowning-quick-facts/>, (last visited January 18, 2024).

<sup>2</sup> *Id.*

<sup>3</sup> Florida Department of Health, Seminole County, *Guide to Drowning Prevention*, available at <https://seminole.floridahealth.gov/programs-and-services/environmental-health/drowning-prevention.html>, (last visited January 18, 2024).

<sup>4</sup> Florida Department of Children and Families (DCF), *Child Fatality Prevention; Statewide Data*, available at <https://www2.myflfamilies.com/childfatality/stateresults.shtml?minage=0&maxage=18&year=2023&cause=Drowning&prior12=&verified=>, (last visited January 18, 2024).

<sup>5</sup> Florida Department of Health (DOH), *Drowning Prevention*, available at [https://www.floridahealth.gov/programs-and-services/prevention/drowning-prevention/index.html#:~:text=Florida%20had%20the%20highest%20unintentional.\(CDC%20national%20injury%20data\).](https://www.floridahealth.gov/programs-and-services/prevention/drowning-prevention/index.html#:~:text=Florida%20had%20the%20highest%20unintentional.(CDC%20national%20injury%20data).), (last visited January 18, 2024).

<sup>6</sup> DCF, *Water Safety for Kids*, available at <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/summer-safety-tips/water-safety/water-safety-kids>, (last visited January 18, 2024).

<sup>7</sup> NDPA, *5 Water Safety Facts*, available at <https://ndpa.org/5-water-safety-facts/#:~:text=Water%20Safety%20is%20defined%20as.home%20and%20in%20real%20life.>, (last visited January 18, 2024).

<sup>8</sup> DOH, *Guide to Drowning Prevention*, available at <https://seminole.floridahealth.gov/programs-and-services/environmental-health/drowning-prevention.html>, and Steve Wallen Swim School, *The Importance of Water Safety and Learning to Swim*, available at <https://wallenswim.com/the-importance-of-water-safety-and-learning-to-swim/>, (last visited January 18, 2024).

<sup>9</sup> The components of water competency include water-safety awareness, basic swim skills, and the ability to recognize and respond to a swimmer in trouble. See American Academy of Pediatrics, *Prevention of Drowning*, available at <https://publications.aap.org/pediatrics/article/143/5/e20190850/37134/Prevention-of-Drowning?autologincheck=redirected>, (last visited January 18, 2024).

<sup>10</sup> American Academy of Pediatrics, *Swim Lessons: When to Start & What Parents Should Know*, <https://www.healthychildren.org/English/safety-prevention/at-play/Pages/swim-lessons.aspx>, (last visited January 18, 2024).

show that participation in formal swimming lessons reduces the risk of drowning by 88 percent for children ages one to four.<sup>11</sup> Participation in swimming lessons has also been shown to reduce drowning risks among children ages 1 to 19. Evidence suggest that teaching children water competency skills causes no increased risk, particularly if combined with other components of water safety and drowning prevention strategies.<sup>12</sup>

Under current law, any person working as a swimming instructor or lifeguard at a public swimming pool in Florida must be certified by the American Red Cross, the Y.M.C.A., or other nationally recognized aquatic training programs. Swimming instructors and lifeguards must also be certified in first aid and CPR.<sup>13</sup>

### *Water Safety Initiatives in Florida*

In Florida, public schools are required to provide parents initially enrolling their child in school with information on the important role water safety education courses and swimming lessons play in saving lives by helping to prevent drownings.<sup>14</sup> The information provided must include local options for age-appropriate water safety courses and swimming lessons that result in a certificate indicating successful completion. Information on courses and lessons offered for free or at a reduced price must also be included.<sup>15</sup>

The DCF along with several state and local partners, launched the Eyes on the Kids and Water Safety for Kids initiatives to help reduce child drowning fatalities in Florida.<sup>16</sup> The Eyes on the Kids initiative encourages parents to practice the four water safety rules: supervision, barriers, swimming lessons and emergency preparedness. The Water Safety for Kids initiative provides short water safety presentations to elementary schools, book store story times, child care centers, libraries, summer camps, etc. The presentations can include reading water safety books, puppet shows, coloring sheets, costumed characters, and giveaways of small water safety items such as beach balls, stickers, and book marks.<sup>17</sup>

### **Effect of Bill**

CS/HB 581 creates the Swimming Lesson Voucher Program within the Department of Health (DOH) for the purpose of increasing water safety in Florida. The program offers vouchers for swimming lessons, at no cost, to families with children age four or younger. The bill requires DOH to implement the program; in doing so, DOH must contract with swimming lesson vendors to establish a network of vendors who will accept the vouchers offered by the program in exchange for providing swimming lessons. The bill requires DOH to attempt to secure a least one vendor in each county to ensure availability of swimming lessons throughout the state. Any swimming lesson vendor who offers swimming lessons at a public pool that is owned or maintained by a county or municipality must participate in the program, if requested by DOH.

The bill requires DOH to establish a method for members of the public to apply for swimming lesson vouchers and for determining applicant eligibility. The eligibility requirements must include criteria necessary for a family to receive one or more vouchers from the program, including, but not limited to the following:

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<sup>11</sup> National Institute of Health, *Association Between Swimming Lessons and Drowning in Childhood*, Archives Pediatric Medicine, Vol 163 No 3, March 2009, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4151293/pdf/nihms617357.pdf>, (last visited January 19, 2024).

<sup>12</sup> National Library of Medicine, *Learning to Swim: An Exploration of Negative Prior Aquatic Experiences Among Children*, *Int J Environ Res Public Health*. 2020 May; 17(10): 3557., available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7277817/#:~:text=Participation%20in%20formal%20swimming%20lessons,the%20additional%20drowning%20prevention%20strategies>, (last visited January 19, 2024).

<sup>13</sup> S. 514.074, F.S.

<sup>14</sup> S. 1003.225, F.S.

<sup>15</sup> *Id.*

<sup>16</sup> DCF, *Water Safety*, available at <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/summer-safety-tips/water-safety>, (last visited January 18, 2024).

<sup>17</sup> *Id.*

- The age of each child for whom a voucher is being sought, who may be no more than 4 years of age; and
- The family's address of residency in the state.

The bill requires vouchers for the program to be issued to eligible applicants, subject to specific appropriation, and authorizes DOH to seek grants or other public or private funding for the program. The bill requires DOH to adopt rules to implement the swimming lesson voucher program.

The bill provides an effective date of July 1, 2024.

**B. SECTION DIRECTORY:**

**Section 1:** Creates s. 514.073, F.S., relating to the swimming lesson voucher program.

**Section 2:** Provides an effective date of July 1, 2024.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The bill has an insignificant negative impact on DOH to establish the swimming lesson voucher program. An analysis of DOH's Medical Quality Assurance Trust Fund indicates that there are sufficient resources available to establish the administrative functions of the program.

As of January 2024, DOH has 63 vacancies greater than 100 days within the Medical Quality Assurance Services program and has the flexibility to reclassify and transfer positions to meet the demands of the unit.

The bill creates the framework for the voucher program but does not provide an appropriation for DOH to issue swimming lesson vouchers. The issuance of vouchers to eligible applicants is subject to a specific appropriation. The bill allows DOH to seek grants or other public or private funding for the voucher program.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

The bill may have a positive fiscal impact on eligible families seeking swimming lesson vouchers for children through the program.

**D. FISCAL COMMENTS:**

CS/HB 581 authorizes vouchers for the swimming lesson voucher program be issued subject to specific appropriation. However, the bill does not appropriate funding to DOH for the program.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill authorizes DOH to adopt rules to implement the swimming lesson voucher program.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On January 24, 2024, the Healthcare Regulation Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment removes the income requirement as an eligibility criterion for participation in the swimming lesson voucher program, making the program available to all eligible families who have children four years of age and younger.