

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/HB 581 Swimming Lesson Voucher Program

SPONSOR(S): Healthcare Regulation Subcommittee, Busatta Cabrera and others

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 544

FINAL HOUSE FLOOR ACTION: 114 Y's 0 N's **GOVERNOR'S ACTION:** Approved

SUMMARY ANALYSIS

CS/HB 581, passed the House on March 5, 2024, as CS/SB 544.

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/SB 544 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 low income 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 adopt rules to implement the swimming lesson voucher program.

CS/SB 544 appropriates \$500,000 in nonrecurring general revenue to DOH to fund the program and has no fiscal impact on local government.

The bill was approved by the Governor on April 15, 2024, ch. 2024-89, L.O.F., and will become effective on July 1, 2024.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background

Accidental Drownings

On average, 3,500 to 4,000 people lose their lives to drowning each year in the U.S. That is an average of 10 fatal drownings per day.¹ 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.²

Drowning is also the leading cause of accidental death in Florida for children ages five and under.³ In 2023, 94 children died in Florida from accidental drowning.⁴ According to the Centers for Disease Control's national injury data, in 2018 - 2020, Florida ranked highest in the country for unintentional drowning death rates for children ages zero to nine and third for children ages zero to 17.⁵ According to the Department of Children and Families (DCF), teaching children water safety skills is important in reducing the number child drownings.⁶

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.⁷ 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).⁸ Water competency is the ability to anticipate, avoid, and survive common drowning situations.⁹

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

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

² *Id.*

³ 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).

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

⁵ 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).

⁶ 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).

⁷ 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).

⁸ 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).

⁹ 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).

water survival skills taught by instructors certified through a nationally recognized curriculum.¹⁰ Studies show that participation in formal swimming lessons reduces the risk of drowning by 88 percent for children ages one to four.¹¹ 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.¹²

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.¹³

Water Safety Initiatives in Florida

In Florida, public schools are required to provide parents initially enrolling their children in school with information on the important role water safety education courses and swimming lessons play in saving lives by helping to prevent drownings.¹⁴ 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.¹⁵

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.¹⁶ 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.¹⁷

Effect of Bill

CS/SB 544 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 an income of up to 200 percent of the federal poverty level with children age four or younger.¹⁸ 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

¹⁰ 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).

¹¹ 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).

¹² 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).

¹³ S. 514.074, F.S.

¹⁴ S. 1003.225, F.S.

¹⁵ *Id.*

¹⁶ 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).

¹⁷ *Id.*

¹⁸ Based on the 2024 federal poverty guidelines, a family of four falls within the 200 percent poverty level if their annual income is \$62,400 or less. See Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, *2024 Federal Poverty Guidelines: 48 Contiguous States*, available at <https://aspe.hhs.gov/sites/default/files/documents/7240229f28375f54435c5b83a3764cd1/detailed-guidelines-2024.pdf>, (last visited March 20, 2024).

state. The bill requires any swimming lesson vendor who offers 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 establish a method for members of the public to apply for swimming lesson vouchers and for determining applicant eligibility, and issuing vouchers to eligible applicants. 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:

- The age of each child for whom a voucher is being sought, who may be no more than 4 years of age;
- The family income level, which may be up to 200 percent of the federal poverty level; and
- The family's address of residency in the state.

The bill appropriates \$500,000 in nonrecurring general revenue to DOH to fund the program 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.

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 for the administrative work required 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 appropriates \$5000,000 in nonrecurring general revenue to DOH to fund the 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:

None.