

Committee Substitute for Senate Bill No. 1662

An act relating to the Department of Health; amending s. 154.02, F.S.; providing for additional uses of funds in the County Health Department Trust Fund; deleting a provision increasing the emergency reserve each year in line with increases in the Consumer Price Index; repealing s. 216.2625, F.S., relating to disbursement of Department of Health trust funds and appropriation of authorized positions; amending s. 381.0202, F.S.; requiring the Department of Health to establish and maintain laboratories for microbiological and chemical analyses; amending s. 381.0203, F.S.; requiring the Department of Health to establish and maintain a pharmacy services program; amending s. 382.003, F.S.; requiring the Department of Health to establish an Office of Vital Statistics; providing an effective date.

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

Section 1. Present subsections (3), (4), and (5) of section 154.02, Florida Statutes, are renumbered as subsections (4), (5), and (6), respectively, a new subsection (3) is added to that section, and paragraph (b) of present subsection (5) of that section is amended, to read:

154.02 County Health Department Trust Fund.—

(3) Funds from the County Health Department Trust Fund may be expended by the Department of Health for the respective county health departments in accordance with budgets and plans agreed upon by the county authorities of each county and the Department of Health.

~~(6)(5)~~ At a minimum, the trust fund shall consist of:

(b) An emergency reserve of \$500,000, derived from an annual assessment on county health department funds based upon their proportionate share of state general revenue, maintained for county health departments to respond to public health emergencies such as epidemics and natural disasters. ~~The emergency reserve shall be increased each July 1 by the increase in the Consumer Price Index that occurred during the previous 12 months.~~

Section 2. Section 216.2625, Florida Statutes, is repealed.

Section 3. Subsection (1) of section 381.0202, Florida Statutes, is amendment to read:

381.0202 Laboratory services.—

(1) The department shall ~~may~~ establish and maintain, in suitable and convenient places in the state, laboratories for microbiological and chemical analyses and any other purposes it determines necessary for the protection of the public health.

Section 4. Subsection (2) of section 381.0203, Florida Statutes, is amended to read:

381.0203 Pharmacy services.—

(2) The department ~~shall~~ may establish and maintain a pharmacy services program, including, but not limited to:

(a) A central pharmacy to support pharmaceutical services provided by the county health departments, including pharmaceutical repackaging, dispensing, and the purchase and distribution of immunizations and other pharmaceuticals.

(b) Regulation of drugs, cosmetics, and household products pursuant to chapter 499.

(c) Consultation to county health departments as required by s. 154.04(1)(c).

(d) A contraception distribution program which shall be implemented, to the extent resources permit, through the licensed pharmacies of county health departments. A woman who is eligible for participation in the contraceptive distribution program is deemed a patient of the county health department.

1. To be eligible for participation in the program a woman must:

a. Be a client of the department or the Department of Children and Family Services.

b. Be of childbearing age with undesired fertility.

c. Have an income between 150 and 200 percent of the federal poverty level.

d. Have no Medicaid benefits or applicable health insurance benefits.

e. Have had a medical examination by a licensed health care provider within the past 6 months.

f. Have a valid prescription for contraceptives that are available through the contraceptive distribution program.

g. Consent to the release of necessary medical information to the county health department.

2. Fees charged for the contraceptives under the program must cover the cost of purchasing and providing contraceptives to women participating in the program.

3. The department may adopt rules to administer this program.

Section 5. Section 382.003, Florida Statutes, is amended to read:

382.003 Powers and duties of the department.—The department shall ~~may~~:

(1) Establish an Office of Vital Statistics under the direction of a State Registrar for the uniform and efficient registration, compilation, storage, and preservation of all vital records in the state.

(2) Procure the complete registration of all vital records in each registration district and in the Office of Vital Statistics.

(3) Uniformly enforce the law throughout the state.

(4) Establish registration districts throughout the state, which districts may be consolidated or subdivided to facilitate registration.

(5) Appoint a local registrar of vital statistics for each registration district in the state.

(6) Investigate cases of irregularity or violation of law, and all local registrars of vital statistics shall aid the department in such investigations. When necessary, the department shall report cases of violations of any of the provisions of this chapter to the state attorney in the registration district in which the violation occurs.

(7) Approve all forms used in registering, recording, certifying, and preserving vital records, or in otherwise carrying out the purposes of this chapter, and no other forms shall be used other than those approved by the department. The department is responsible for the careful examination of the certificates received monthly from the local registrars and marriage certificates and dissolution of marriage reports received from the circuit and county courts. A certificate that is complete and satisfactory shall be accepted and given a state file number and considered a state-filed record. If any such certificates are incomplete or unsatisfactory, the department shall require further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, informants, or funeral directors, and all other persons having knowledge of the facts, are required to supply, upon a form approved by the department or upon the original certificate, such information as they may possess regarding any vital record.

(8) Prepare and publish an annual report of vital statistics and such other reports as may be required.

(9) Appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive death certificates and fetal death certificates and to issue burial permits in and for such portions of one or more districts as may be designated. A subregistrar may be removed from office by the department for neglect of or failure to perform his or her duty in accordance with this chapter.

(10) Accept, use, and produce all records, reports, and documents necessary for carrying out the provisions of this chapter, in paper or electronic form, and adopt and enforce all rules necessary for the acceptance, use,

production, issuance, recording, maintenance, and processing of such records, reports, and documents, and for carrying out the provisions of ss. 382.004-382.0135 and ss. 382.016-382.019.

(11) By rule require that forms, documents, and information submitted to the department in the creation or amendment of a vital record be under oath.

Section 6. This act shall take effect July 1, 2009.

Approved by the Governor May 27, 2009.

Filed in Office Secretary of State May 27, 2009.