

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Pafford offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 11 and 12, insert:

5 Section 1. Subsections (17) through (26) of section  
6 409.811, Florida Statutes, are renumbered as subsections (18)  
7 through (27), respectively, and a new subsection (17) is added  
8 to that section to read:

9 409.811 Definitions relating to Florida Kidcare Act.—As  
10 used in ss. 409.810-409.821, the term:

11 (17) "Lawfully residing child" means a child who is not a  
12 person refusing to obey a subpoena or court order as described  
13 in s. 414.411, is lawfully present in the United States as  
14 defined in 8 C.F.R. s. 103.12(a), meets Medicaid or CHIP

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15 residency requirements, and may be eligible for medical  
16 assistance with federal financial participation as provided  
17 under s. 214 of the Children's Health Insurance Program  
18 Reauthorization Act of 2009, Pub. L. No. 111-3, and related  
19 federal rules and regulations.

20 Section 2. Paragraph (c) of subsection (4) of section  
21 409.814, Florida Statutes, is amended to read:

22 409.814 Eligibility.—A child who has not reached 19 years  
23 of age whose family income is equal to or below 200 percent of  
24 the federal poverty level is eligible for the Florida Kidcare  
25 program as provided in this section. If an enrolled individual  
26 is determined to be ineligible for coverage, he or she must be  
27 immediately disenrolled from the respective Florida Kidcare  
28 program component.

29 (4) The following children are not eligible to receive  
30 Title XXI-funded premium assistance for health benefits coverage  
31 under the Florida Kidcare program, except under Medicaid if the  
32 child would have been eligible for Medicaid under s. 409.903 or  
33 s. 409.904 as of June 1, 1997:

34 (c) A child who is an alien, but who does not meet the  
35 definition of a lawfully residing child under s. 409.811(17).  
36 This paragraph does not extend Kidcare program eligibility to an  
37 undocumented immigrant ~~qualified alien, in the United States.~~

38 Section 3. Subsections (8) and (9) of section 409.904,  
39 Florida Statutes, are renumbered as subsections (9) and (10),

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40 respectively, and a new subsection (8) is added to that section  
41 to read:

42 409.904 Optional payments for eligible persons.—The agency  
43 may make payments for medical assistance and related services on  
44 behalf of the following persons who are determined to be  
45 eligible subject to the income, assets, and categorical  
46 eligibility tests set forth in federal and state law. Payment on  
47 behalf of these Medicaid eligible persons is subject to the  
48 availability of moneys and any limitations established by the  
49 General Appropriations Act or chapter 216.

50 (8) A child younger than 19 years of age who is not a  
51 person refusing to obey a subpoena or court order as described  
52 in s. 414.411 and who would be eligible for Medicaid under s.  
53 409.903, except that the child is a lawfully residing child as  
54 defined in s. 409.811(17). This subsection does not extend  
55 eligibility for optional Medicaid payments or related services  
56 to an undocumented immigrant.

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58 -----  
59 **T I T L E A M E N D M E N T**

60 Between lines 2 and 3, insert:

61 s. 409.811, F.S.; defining the term "lawfully residing  
62 child"; amending s. 409.814, F.S.; providing that  
63 undocumented immigrant children are not eligible for  
64 services provided under the Florida Kidcare program;  
65 providing an exception; amending s. 409.904, F.S.;

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66 providing conditions for a lawfully residing child to  
67 be eligible for certain optional Medicaid assistance  
68 and related services; providing that an undocumented  
69 immigrant is not eligible for such assistance and  
70 services; amending

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