

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 1335 — Long-term Care Managed Care Prioritization

by Health and Human Services Committee and Rep. Magar (CS/SB 7056 by Appropriations Committee and Health Policy Committee)

The bill addresses Medicaid's long-term care managed care (LTCMC) program and revises ss. 409.962 and 409.949, F.S., relating to eligibility, enrollment, and prioritization of individuals for the program.

The bill requires the Department of Elderly Affairs (DOEA) to maintain a statewide wait list for enrollment for the home and community-based services portion of LTCMC, and to prioritize individuals for potential enrollment using a frailty-based screening tool that generates a priority score. The DOEA must develop the screening tool by rule and make publicly available on its website the specific methodology used to calculate an individual's priority score. The bill requires individuals to be rescreened at least annually or upon notification of a significant change in the individual's circumstances.

When the Agency for Health Care Administration (AHCA) notifies the DOEA Comprehensive Assessment and Review for Long-Term Care Services (CARES) program of available enrollment capacity, the CARES program conducts a pre-release assessment of individuals based on the priority scoring process. If capacity is limited for individuals with identical priority scores, the individual with the oldest date of placement on the wait list will receive priority for pre-release assessment. Individuals who meet all eligibility criteria may enroll in LTCMC.

An individual may be terminated from the LTCMC wait list for conditions set forth in the bill. Once terminated, an individual is required to initiate a new request for placement on the wait list, and any previous priority considerations are disregarded.

The bill identifies certain populations that are provided priority enrollment for home and community based services through LTCMC, and which do not have to complete the screening or wait-list process as long as all other program eligibility requirements are met. These populations consist of:

- Individuals who are 18, 19, and 20 years of age who have chronic, debilitating diseases or conditions of one or more physiological or organ systems which generally make the individual dependent upon 24-hour-per-day medical, nursing, or health supervision or intervention;
- Nursing facility residents requesting to transition into the community who have resided in a Florida-licensed skilled nursing facility for at least 60 consecutive days; and
- Individuals referred to the Department of Children and Families (DCF) Adult Protective Services program as high risk and placed in an assisted living facility temporarily funded by the DCF.

The bill authorizes the DOEA and the AHCA to adopt rules to implement the bill.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 39-0; House 117-0