

By Senator Rossin

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1 A bill to be entitled
2 An act relating to the Long-Term-Care Community
3 Diversion Pilot Project; amending s. 430.705,
4 F.S.; allowing participants to choose
5 long-term-care service providers affiliated
6 with an individuals's religious denomination or
7 faith group under certain circumstances;
8 providing an effective date.

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

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12 Section 1. Subsection (3) of section 430.705, Florida
13 Statutes, is amended to read:

14 430.705 Implementation of the long-term care community
15 diversion pilot projects.--

16 (3) The department shall provide to prospective
17 participants a choice of participating in a community
18 diversion pilot project or any other appropriate placement
19 available. To the extent possible, individuals shall be
20 allowed to choose their care providers. Individuals may also
21 choose providers that are affiliated with their religious
22 faith or denomination. Before a prospective participant
23 enrolls in a managed care plan, the department shall provide
24 him or her with a list of participating providers which
25 identifies any affiliation with a religious faith or
26 denomination of a provider, in the same type size as the
27 provider's name. If a mandated managed long-term-care system
28 is implemented to serve Medicaid-eligible long-term-care
29 recipients or individuals who are eligible for Medicaid and
30 Medicare, the participants may, before receiving
31 long-term-care services, designate their religious faith or

1 denominations and request that they receive services from a
2 provider affiliated with their designation, subject to the
3 following conditions:

4 (a) A service provider affiliated with their
5 designated religious faith or denomination is located in the
6 geographic area served by the managed care organization;

7 (b) The managed care organization has a provider in
8 its network to meet the individual's request, or, if not, the
9 organization must provide the service through an affiliated
10 out-of-network provider if one is available that is able to
11 provide the level of care and services the participant needs,
12 that agrees to be reimbursed at a rate that is no less than
13 the contract rate for similar providers for the same services
14 and supplies, and that meets the guidelines established by the
15 organization for quality of care, credentialing, and
16 utilization required of similar providers under contract.

17 (c) If a managed care organization denies a
18 participant's request for long-term-care services from a
19 provider affiliated with the designated religious faith or
20 denomination, the organization must provide a written
21 explanation of the denial to the participant within 3 days. A
22 participant may appeal the denial under s. 641.511, or other
23 applicable grievance procedures.

24 Section 2. This act shall take effect upon becoming a
25 law.

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28 SENATE SUMMARY

29 Provides that Medicaid beneficiaries who receive
30 long-term health care may select religiously affiliated
31 long-term-care facilities.