

Bill No. CS for SB's 1414 and 2520, 1st Eng.

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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11 Representative(s) Peaden and Albright offered the following:

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13 **Amendment (with title amendment)**

14 Remove from the bill: Everything after the enacting clause

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16 and insert in lieu thereof:

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18 Section 1. Subsections (4) and (7) of section
19 409.8132, Florida Statutes, 1998 Supplement, are amended to
read:

20

409.8132 Medikids program component.--

21

22 (4) APPLICABILITY OF LAWS RELATING TO MEDICAID.--The
provisions of ss. 409.902, 409.905, 409.906, 409.907, 409.908,
23 ~~409.910~~, 409.912, 409.9121, 409.9122, 409.9123, 409.9124,
24 409.9127, 409.9128, 409.913, 409.916, 409.919, 409.920, and
25 409.9205 apply to the administration of the Medikids program
26 component of the Florida Kidcare program, except that s.
27 409.9122 applies to Medikids as modified by the provisions of
28 subsection (7).

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30 (7) ENROLLMENT.--Enrollment in the Medikids program
31 component may only occur during periodic open enrollment
periods as specified by the agency. During the first 12 months

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1 of the program, there shall be at least one, but no more than
2 three, open enrollment periods. The initial open enrollment
3 period shall be for 90 days, and subsequent open enrollment
4 periods during the first year of operation of the program
5 shall be for 30 days. After the first year of the program, the
6 agency shall determine the frequency and duration of open
7 enrollment periods. An applicant may apply for enrollment in
8 the Medikids program component and proceed through the
9 eligibility determination process at any time throughout the
10 year. However, enrollment in Medikids shall not begin until
11 the next open enrollment period; and a child may not receive
12 services under the Medikids program until the child is
13 enrolled in a managed care plan or MediPass. In addition, once
14 determined eligible, an applicant may receive choice
15 counseling and select a managed care plan or MediPass. An
16 applicant may select MediPass under the Medikids program
17 component only in counties that have fewer than two managed
18 care plans available to serve Medicaid recipients and only if
19 the federal Health Care Financing Administration determines
20 that MediPass constitutes "health insurance coverage" as
21 defined in Title XXI of the Social Security Act. The agency
22 may implement procedures for the mandatory assignment of
23 Medikids applicants who do not make a voluntary choice of a
24 managed care plan or MediPass. In counties with two or more
25 managed care plans, assignment shall be made among managed
26 care plans. In counties with fewer than two managed care
27 plans, assignment shall be made based on existing Medicaid
28 assignment procedures.

29 Section 2. Subsection (3) is added to section 409.815,
30 Florida Statutes, 1998 Supplement, to read:

31 409.815 Health benefits coverage; limitations.--

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1 (3) KIDCARE DENTAL PROGRAM.--A Kidcare dental program
2 is created for children eligible for the Florida Kidcare
3 program as created under ss. 409.810-409.820, except for those
4 children eligible under Medicaid and Medikids. The agency
5 shall develop and administer the Kidcare dental program. Under
6 the Kidcare dental program:

7 (a) Dental benefits must include the same services
8 specified in s. 409.906(6), excluding orthodontics.

9 (b) Dental providers must be enrolled in the Medicaid
10 program and are to be reimbursed using Medicaid
11 fee-for-service rates.

12 (c) The agency shall designate a limited number of
13 sites and a limited number of children to participate in the
14 dental program, using the following criteria:

15 1. Sites selected for the program must comply with the
16 quality assurance and access standards developed under s.
17 409.820 and selection as a site must be a condition of program
18 participation. No more than three counties may be selected as
19 sites for the implementation of the program; and

20 2. Enrollment for the entire program may not exceed
21 1,000 children.

22
23 Implementation of the Kidcare dental program is subject to an
24 annual appropriation for that specific purpose and may not
25 result in a decrease in the total number of children served
26 under the program from the previous fiscal year. The agency
27 shall include in the report required under s. 409.8177 an
28 evaluation of the Kidcare dental program. This subsection
29 expires December 31, 2001.

30 Section 3. Subsection (8) is added to section 409.904,
31 Florida Statutes, 1998 Supplement, to read:

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1 409.904 Optional payments for eligible persons.--The
2 agency may make payments for medical assistance and related
3 services on behalf of the following persons who are determined
4 to be eligible subject to the income, assets, and categorical
5 eligibility tests set forth in federal and state law. Payment
6 on behalf of these Medicaid eligible persons is subject to the
7 availability of moneys and any limitations established by the
8 General Appropriations Act or chapter 216.

9 (8) A child who has not attained the age of 19 years
10 who applies for eligibility for the Medicaid program through a
11 qualified Medicaid provider must be offered the opportunity,
12 subject to federal regulations, to be made presumptively
13 eligible for the Medicaid program.

14 Section 4. Paragraph (b) of subsection (4) of section
15 624.91, Florida Statutes, 1998 Supplement, is amended to read:

16 624.91 The Florida Healthy Kids Corporation Act.--

17 (4) CORPORATION AUTHORIZATION, DUTIES, POWERS.--

18 (b) The Florida Healthy Kids Corporation shall phase
19 in a program to:

20 1. Organize school children groups to facilitate the
21 provision of comprehensive health insurance coverage to
22 children;

23 2. Arrange for the collection of any family, local
24 contributions, or employer payment or premium, in an amount to
25 be determined by the board of directors, to provide for
26 payment of premiums for comprehensive insurance coverage and
27 for the actual or estimated administrative expenses;

28 3. Establish the administrative and accounting
29 procedures for the operation of the corporation;

30 4. Establish, with consultation from appropriate
31 professional organizations, standards for preventive health

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1 services and providers and comprehensive insurance benefits
2 appropriate to children; provided that such standards for
3 rural areas shall not limit primary care providers to
4 board-certified pediatricians;

5 5. Establish eligibility criteria which children must
6 meet in order to participate in the program;

7 6. Establish procedures under which applicants to and
8 participants in the program may have grievances reviewed by an
9 impartial body and reported to the board of directors of the
10 corporation;

11 7. Establish participation criteria and, if
12 appropriate, contract with an authorized insurer, health
13 maintenance organization, or insurance administrator to
14 provide administrative services to the corporation;

15 8. Establish enrollment criteria which shall include
16 penalties or waiting periods of not fewer than 60 days for
17 reinstatement of coverage upon voluntary cancellation for
18 nonpayment of family premiums;

19 9. If a space is available, establish a special open
20 enrollment period of 30 days' duration for any child who is
21 enrolled in Medicaid or Medikids if such child loses Medicaid
22 or Medikids eligibility and becomes eligible for the Florida
23 Healthy Kids program;

24 10. Contract with authorized insurers or any provider
25 of health care services, meeting standards established by the
26 corporation, for the provision of comprehensive insurance
27 coverage to participants. Such standards shall include
28 criteria under which the corporation may contract with more
29 than one provider of health care services in program sites.
30 Health plans shall be selected through a competitive bid
31 process. The selection of health plans shall be based

1 primarily on quality criteria established by the board. The
2 health plan selection criteria and scoring system, and the
3 scoring results, shall be available upon request for
4 inspection after the bids have been awarded;

5 11. Develop and implement a plan to publicize the
6 Florida Healthy Kids Corporation, the eligibility requirements
7 of the program, and the procedures for enrollment in the
8 program and to maintain public awareness of the corporation
9 and the program;

10 12. Secure staff necessary to properly administer the
11 corporation. Staff costs shall be funded from state and local
12 matching funds and such other private or public funds as
13 become available. The corporation shall reduce or waive local
14 match requirements, provided funds are designated for this
15 purpose in the General Appropriations Act. The board of
16 directors shall determine the number of staff members
17 necessary to administer the corporation;

18 13. As appropriate, enter into contracts with local
19 school boards or other agencies to provide onsite information,
20 enrollment, and other services necessary to the operation of
21 the corporation;

22 14. Provide a report on an annual basis to the
23 Governor, Insurance Commissioner, Commissioner of Education,
24 Senate President, Speaker of the House of Representatives, and
25 Minority Leaders of the Senate and the House of
26 Representatives;

27 15. Each fiscal year, establish a maximum number of
28 participants by county, on a statewide basis, who may enroll
29 in the program without the benefit of local matching funds.
30 Thereafter, the corporation may establish local matching
31 requirements for supplemental participation in the program.

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1 The corporation may vary local matching requirements and
 2 enrollment by county depending on factors which may influence
 3 the generation of local match, including, but not limited to,
 4 population density, per capita income, existing local tax
 5 effort, and other factors. The corporation also may accept
 6 in-kind match in lieu of cash for the local match requirement
 7 to the extent allowed by Title XXI of the Social Security Act.
 8 The corporation shall reduce or waive local match
 9 requirements, provided funds are designated for this purpose
 10 in the General Appropriations Act; and

11 16. Establish eligibility criteria, premium and
 12 cost-sharing requirements, and benefit packages which conform
 13 to the provisions of the Florida Kidcare program, as created
 14 in ss. 409.810-409.820.

15 Section 5. For the 1999-2000 fiscal year only, the
 16 Agency for Health Care Administration is authorized to use the
 17 following amounts from the increased funds provided in the
 18 General Appropriations Act for the Florida Kidcare Program:

19 (1) Up to \$142,511 in state funds and the up to
 20 \$184,800 in federal trust funds to fund presumptive
 21 eligibility as authorized in this act; and

22 (2) Up to \$88,344 in state funds and up to \$201,976 in
 23 federal trust funds to fund up to 1,000 children in up to
 24 three dental pilot sites, including administrative costs, as
 25 authorized in this act.

26 Section 6. This act shall take effect July 1, 1999.

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 29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 On page 1, lines 2-22,

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1 remove from the title of the bill: all of said lines
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3 and insert in lieu thereof:
4 An act relating to children's health; amending
5 s. 409.8132, F.S.; removing applicability of
6 Medicaid third-party liability requirements to
7 the Medikids program; authorizing the Agency
8 for Health Care Administration to implement
9 mandatory assignment of certain Medikids
10 applicants; amending s. 409.815, F.S.; creating
11 a Kidcare dental program, subject to annual
12 appropriation; providing requirements; amending
13 s. 409.904, F.S.; providing presumptive
14 eligibility of children for Medicaid; amending
15 s. 624.91, F.S.; authorizing the Florida
16 Healthy Kids Corporation to reduce or waive
17 local match requirements under certain
18 circumstances; specifying use of appropriated
19 funds; providing an effective date.
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