

By Senator Rossin

35-1206-99

1                                   A bill to be entitled  
2           An act relating to maximizing federal funding;  
3           providing legislative intent; creating s.  
4           409.9072, F.S.; authorizing the Agency for  
5           Health Care Administration to develop policies  
6           and procedures to allow for certification of  
7           local matching funds for covered Title XIX  
8           Medicaid services; providing eligibility  
9           criteria for projects to be included as part of  
10          the local match; providing responsibilities of  
11          the Department of Children and Family Services;  
12          allowing administrative costs to be deducted;  
13          authorizing the department to develop policies  
14          and procedures to allow for certification of  
15          local matching funds for Title IV-E services to  
16          children; providing criteria for eligibility;  
17          allowing administrative costs to be deducted;  
18          requiring an annual report; providing an  
19          effective date.

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

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23           Section 1. It is the intent of the Legislature to use  
24 local funding for Medicaid and Title IV-E programs to the  
25 fullest extent possible so as to maximize federal funding of  
26 such programs in this state. It is the further intent of the  
27 Legislature that this act be revenue-neutral with respect to  
28 state funds.

29           Section 2. Section 409.9072, Florida Statutes, is  
30 created to read:

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1           409.9072 Certification of local match program and  
2 provider agreements regarding funding for Title XIX Medicaid  
3 and Title IV-E.--

4           (1) The Agency for Health Care Administration, in  
5 compliance with appropriate federal authorities, shall develop  
6 policies and procedures to allow for the certification of  
7 local matching funds for covered Title XIX Medicaid services.

8           (a) The certification of local matching funds applies  
9 only to services provided to Medicaid-eligible and  
10 Medicaid-expansion-eligible children and their families. Any  
11 federal Medicaid reimbursement received as a result of local  
12 matching funds generated at the district level must be  
13 returned to the district that generated the funds, and the  
14 district must, by agreement, reimburse any local entities that  
15 have provided funding that has generated the federal Medicaid  
16 reimbursement received by the district.

17           (b) Local projects to provide services to eligible  
18 children and their families must obtain prior approval by the  
19 department and the agency to participate in any certification  
20 of match effort. To qualify for such approval, a project must  
21 demonstrate that it has the clinical and administrative  
22 capability to provide Medicaid-covered services and must agree  
23 to:

24           1. Be responsible for checking with the state Medicaid  
25 office to verify that children and their families are eligible  
26 at the time services are provided; however, the project is not  
27 responsible for any disallowances resulting from a subsequent  
28 determination of ineligibility, as long as eligibility was  
29 verified at the time services were provided.

30           2. Develop and maintain the financial records needed  
31 to document the appropriate use of state and federal funds.

1           3. Comply with all state and federal laws, rules,  
2 regulations, and policies that regulate Medicaid services.

3           4. Be responsible for reimbursing the cost of any  
4 disallowance of federal funding previously provided to the  
5 local project which results from failure of the local project  
6 to comply with state or federal Medicaid laws, rules, or  
7 regulations.

8           (c) The agency and the department shall work with the  
9 projects to modify the state plan and shall request and  
10 implement any federal waivers necessary to ensure that all  
11 Title XIX Medicaid services are available to eligible clients  
12 of such projects and otherwise to implement this section.

13           (d) A project may receive Medicaid reimbursement for  
14 these services either on a fee-for-service basis or a  
15 capitation basis. The agency must approve all capitation  
16 methodologies and standards of care developed by the  
17 department. With agency approval, the department shall develop  
18 provisions for monitoring service delivery, ensuring  
19 appropriate provider networks in accordance with s. 409.906,  
20 and analyzing administrative and service cost ratios.

21           (e) A project that operates on a fee-for-service basis  
22 may assign a qualified organization to serve as the gatekeeper  
23 that is responsible for the authorization of all services for  
24 children enrolled in the project. With agency approval, the  
25 department shall develop quality-of-care standards for the  
26 providers who deliver these services. The project may also  
27 provide case management services to coordinate care and  
28 linkages with Medicaid-enrolled providers and other agencies.

29           (f) Before funds are distributed under paragraph (a),  
30 the agency may deduct its actual administrative costs for  
31 implementing and monitoring the local match certification

1 program, but the administrative costs may not exceed 5 percent  
2 of the total funding to be provided to local entities under  
3 paragraph (a).

4 (2) The department, in compliance with appropriate  
5 federal authorities, shall develop policies and procedures to  
6 allow for the certification of local funds that have been  
7 publicly appropriated or generated in other ways for any Title  
8 IV-E eligible services.

9 (a) Any federal Title IV-E reimbursement received as a  
10 result of matching funds generated at the district level must  
11 be returned to the district that generated those funds, and  
12 the district must, by agreement, reimburse any local entities  
13 that have provided the funding that has generated the federal  
14 Title IV-E reimbursement received by the district.

15 (b) In order to receive any reimbursement under this  
16 subsection, any entity other than the department which  
17 provides local funds for Title IV-E services must demonstrate  
18 that it has the capability of providing such services and must  
19 agree to:

20 1. Be responsible for verifying that children and  
21 their families are eligible for Title IV-E at the time  
22 services are provided; however, the entity is not responsible  
23 for any disallowances resulting from a subsequent  
24 determination of ineligibility, as long as eligibility was  
25 verified at the time services were provided.

26 2. Develop and maintain the financial records needed  
27 to document the appropriate use of federal funds.

28 3. Comply with all state and federal laws, rules,  
29 regulations, and policies that regulate Title IV-E services.

30 4. Be responsible for reimbursing the cost of any  
31 disallowance of federal funding previously provided to the

1 local entity which results from failure of the local entity to  
2 comply with state or federal Title IV-E laws, rules, or  
3 regulations.

4 (c) Before funds are distributed under paragraph (a),  
5 the department may deduct its actual administrative costs for  
6 implementing and monitoring the local match certification  
7 program, but the administrative costs may not exceed 5 percent  
8 of the total funding to be provided to local entities under  
9 paragraph (a).

10 (d) The department shall request and implement any  
11 federal waivers necessary to implement this section.

12 (3) The department and the agency shall prepare and  
13 submit to the Legislature no later than January 1 an annual  
14 report that documents the specific activities undertaken  
15 pursuant to this section during the previous fiscal year.

16 Section 3. This act shall take effect July 1, 1999.

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19 SENATE SUMMARY

20 Provides for the Agency for Health Care Administration  
21 and the Department of Children and Family Services to  
22 develop policies and procedures to allow for the  
23 certification of local matching funds for Title XIX  
24 Medicaid services and for Title IV-E services to  
25 children. (See bill for details.)  
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