

Bill No. CS/HB 1129, 2nd Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Silver moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	Delete everything before the enacting clause		
15			
16	and insert:		
17	Section 1. Paragraph (b) of subsection (3) of section		
18	409.912, Florida Statutes, is amended, and paragraph (e) is		
19	added to that subsection, to read:		
20	409.912 Cost-effective purchasing of health care.--The		
21	agency shall purchase goods and services for Medicaid		
22	recipients in the most cost-effective manner consistent with		
23	the delivery of quality medical care. The agency shall		
24	maximize the use of prepaid per capita and prepaid aggregate		
25	fixed-sum basis services when appropriate and other		
26	alternative service delivery and reimbursement methodologies,		
27	including competitive bidding pursuant to s. 287.057, designed		
28	to facilitate the cost-effective purchase of a case-managed		
29	continuum of care. The agency shall also require providers to		
30	minimize the exposure of recipients to the need for acute		
31	inpatient, custodial, and other institutional care and the		

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1 inappropriate or unnecessary use of high-cost services.
2 (3) The agency may contract with:
3 (b) An entity that is providing comprehensive
4 behavioral inpatient and outpatient mental health care
5 services to certain Medicaid recipients in Hillsborough,
6 Highlands, Hardee, Manatee, and Polk Counties, through a
7 capitated, prepaid arrangement pursuant to the federal waiver
8 provided for by s. 409.905(5). Such an entity must be become
9 licensed under chapter 624, chapter 636, or chapter 641 and
10 must possess the clinical systems and operational competence
11 to manage risk and provide comprehensive behavioral health
12 care to Medicaid recipients. As used in this paragraph, the
13 term "comprehensive behavioral health care services" means
14 covered mental health and substance abuse treatment services
15 that are available to Medicaid recipients. The Secretary of
16 the Department of Children and Families shall approve
17 provisions of procurements related to children in the
18 department's care or custody prior to enrolling such children
19 in a prepaid behavioral health plan. Any contract awarded
20 under this paragraph must be competitively procured. In
21 developing the behavioral health care prepaid plan procurement
22 document, the agency shall ensure that the procurement
23 document requires the contractor to develop and implement a
24 plan to ensure compliance with s. 394.4574 related to services
25 provided to residents of licensed assisted living facilities
26 that hold a limited mental health license. The agency must
27 ensure that Medicaid recipients have available the choice of
28 at least two managed care plans for their behavioral health
29 care services. The agency may reimburse for
30 substance-abuse-treatment services on a fee-for-service basis
31 until the agency finds that adequate funds are available for

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1 capitated, prepaid arrangements.

2 1. By January 1, 2001, the agency shall modify the
3 contracts with the entities providing comprehensive inpatient
4 and outpatient mental health care services to Medicaid
5 recipients in Hillsborough, Highlands, Hardee, Manatee, and
6 Polk Counties, to include substance-abuse-treatment services.

7 2. By December 31, 2001, the agency shall contract
8 with entities providing comprehensive behavioral health care
9 services to Medicaid recipients through capitated, prepaid
10 arrangements in Charlotte, Collier, DeSoto, Escambia, Glades,
11 Hendry, Lee, Okaloosa, Pasco, Pinellas, Santa Rosa, Sarasota,
12 and Walton Counties. The agency may contract with entities
13 providing comprehensive behavioral health care services to
14 Medicaid recipients through capitated, prepaid arrangements in
15 Alachua County. The agency may determine if Sarasota County
16 shall be included as a separate catchment area or included in
17 any other agency geographic area.

18 3. Children residing in a Department of Juvenile
19 Justice residential program approved as a Medicaid behavioral
20 health overlay services provider shall not be included in a
21 behavioral health care prepaid health plan pursuant to this
22 paragraph.

23 4. In converting to a prepaid system of delivery, the
24 agency shall in its procurement document require an entity
25 providing comprehensive behavioral health care services to
26 prevent the displacement of indigent care patients by
27 enrollees in the Medicaid prepaid health plan providing
28 behavioral health care services from facilities receiving
29 state funding to provide indigent behavioral health care, to
30 facilities licensed under chapter 395 which do not receive
31 state funding for indigent behavioral health care, or

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1 reimburse the unsubsidized facility for the cost of behavioral
2 health care provided to the displaced indigent care patient.

3 5. Traditional community mental health providers under
4 contract with the Department of Children and Families pursuant
5 to Part IV of chapter 394 and inpatient mental health
6 providers licensed pursuant to chapter 395, must be offered an
7 opportunity to accept or decline a contract to participate in
8 any provider network for prepaid behavioral health services.
9 ~~by December 31, 1998, and is exempt from the provisions of~~
10 ~~part I of chapter 641 until then. However, if the entity~~
11 ~~assumes risk, the Department of Insurance shall develop~~
12 ~~appropriate regulatory requirements by rule under the~~
13 ~~insurance code before the entity becomes operational.~~

14 (e) An entity that provides comprehensive behavioral
15 health care services to certain Medicaid recipients through an
16 administrative services organization agreement. Such an entity
17 must possess the clinical systems and operational competence
18 to provide comprehensive health care to Medicaid recipients.
19 As used in this paragraph, the term "comprehensive behavioral
20 health care services" means covered mental health and
21 substance abuse treatment services that are available to
22 Medicaid recipients. Any contract awarded under this paragraph
23 must be competitively procured. The agency must ensure that
24 Medicaid recipients have available the choice of at least two
25 managed care plans for their behavioral health care services.

26 Section 2. This act shall take effect July 1, 2000.

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28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete everything before the enacting clause

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1 and insert:

2 A bill to be entitled
3 An act relating to Medicaid managed behavioral
4 health care; amending s. 409.912, F.S.;
5 authorizing the Agency for Health Care
6 Administration to contract for prepaid
7 behavioral health care services for Medicaid
8 recipients in specified counties; providing
9 requirements for the agency in developing
10 procurement procedures; authorizing the agency
11 to contract for the provision of certain
12 services in Alachua County and authorizing it
13 to make certain determinations regarding
14 Sarasota County; prohibiting the inclusion of
15 certain children in such services; requiring
16 the agency to require certain providers to
17 prevent the displacement of certain indigent
18 care patients; providing for certain
19 traditional mental health providers to be
20 offered a contract to participate in such
21 prepaid services plans; defining the term
22 "comprehensive behavioral health care
23 services"; providing deadlines for entering
24 such contracts; deleting provisions requiring
25 the Department of Insurance to develop certain
26 requirements for entities that provide mental
27 health care services; authorizing the Agency
28 for Health Care Administration to contract for
29 mental health and substance abuse treatment
30 services for Medicaid recipients through an
31 administrative services organization agreement;

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1 providing requirements for procurement and
2 availability of such services; providing an
3 effective date.
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