

By Senator Mitchell

4-665B-00

1 A bill to be entitled
2 An act relating to financial responsibility for
3 indigent hospital patients; amending s.
4 154.306, F.S.; requiring that counties accept
5 specified documents, forms, and other
6 information provided by participating hospital
7 or regional referral hospital; providing for
8 excluding active-duty military personnel and
9 certain institutionalized county residents from
10 state population estimates when calculating a
11 county's financial responsibility for
12 hospitals' treatment of the county's indigent
13 residents; providing an effective date.

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

17 Section 1. Section 154.306, Florida Statutes, is
18 amended to read:

19 154.306 Financial responsibility for certified
20 residents who are qualified indigent patients treated at an
21 out-of-county participating hospital or regional referral
22 hospital.--Ultimate financial responsibility for treatment
23 received at a participating hospital or a regional referral
24 hospital by a qualified indigent patient who is a certified
25 resident of a county in the State of Florida, but is not a
26 resident of the county in which the participating hospital or
27 regional referral hospital is located, is the obligation of
28 the county of which the qualified indigent patient is a
29 resident. Each county shall reimburse participating hospitals
30 or regional referral hospitals as provided for in this part,
31 and shall provide or arrange for indigent eligibility

1 determination procedures and resident certification
2 determination procedures as provided for in rules developed to
3 implement this part. The agency, or any county determining
4 eligibility of a qualified indigent, shall provide to the
5 county of residence, upon request, a copy of any documents,
6 forms, or other information, as determined by rule, which may
7 be used in making an eligibility determination. Such
8 documents, forms, or other information, if provided by the
9 participating hospital or regional referral hospital to the
10 county of residence, shall be accepted by the county of
11 residence as valid and true and not require reverification by
12 the county of residence.

13 (1) A county's financial obligation for each certified
14 resident who qualifies as an indigent patient under this part,
15 and who has received treatment at an out-of-county hospital,
16 shall not exceed 45 days per county fiscal year at a rate of
17 payment equivalent to 100 percent of the per diem
18 reimbursement rate currently in effect for the out-of-county
19 hospital under the medical assistance program for the needy
20 under Title XIX of the Social Security Act, as amended, except
21 that those counties that are at their 10-mill cap on October
22 1, 1991, shall reimburse hospitals for such services at not
23 less than 80 percent of the hospital Medicaid per diem.
24 However, nothing in this section shall preclude a hospital
25 that has a formal signed agreement with a county to treat such
26 county's indigents from negotiating a higher or lower per diem
27 rate with the county. No county shall be required to pay more
28 than the equivalent of \$4 per capita in the county's fiscal
29 year. The agency shall calculate and certify to each county
30 by March 1 of each year, the maximum amount the county may be
31 required to pay by multiplying the most recent official state

1 population estimate for the total population of the county by
2 \$4 per capita. For the purpose of computing the maximum amount
3 that the county may be required to pay, the agency must reduce
4 the official state population estimates by the number of
5 inmates and patients residing in the county in institutions
6 operated by the Federal Government, the Department of
7 Corrections, the Department of Health, or the Department of
8 Children and Family Services, and by the number of active-duty
9 military personnel residing in the county, all of whom shall
10 not be considered to be residents of the county. Each county
11 shall certify to the agency within 60 days after the end of
12 the county's fiscal year, or upon reaching the \$4 per capita
13 threshold, should that occur before the end of the fiscal
14 year, the amount of reimbursement it paid to all out-of-county
15 hospitals under this part. The maximum amount a county may be
16 required to pay to out-of-county hospitals for care provided
17 to qualified indigent residents may be reduced by up to
18 one-half, provided that the amount not paid has or is being
19 spent for in-county hospital care provided to qualified
20 indigent residents.

21 (2) No county shall be required to pay for any
22 elective or nonemergency admissions or services at an
23 out-of-county hospital for a qualified indigent who is a
24 certified resident of the county if the county provides
25 funding for such services and the services are available at a
26 local hospital in the county where the indigent resides; or
27 the out-of-county hospital has not obtained prior written
28 authorization and approval for such hospital admission or
29 service, provided that the resident county has established a
30 procedure to authorize and approve such admissions.

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1 (3) The county where the indigent resides shall, in
2 all instances, be liable for the cost of treatment provided to
3 a qualified indigent patient at an out-of-county hospital for
4 any emergency medical condition which will deteriorate from
5 failure to provide such treatment if such condition is
6 determined and documented by the attending physician to be of
7 an emergency nature; provided that the patient has been
8 certified to be a resident of such county pursuant to s.
9 154.309.

10 (4) No county shall be liable for payment for
11 treatment of a qualified indigent who is a certified resident
12 and has received services at an out-of-county participating
13 hospital or regional referral hospital, until such time as
14 that hospital has documented to the agency and the agency has
15 determined that it has met its charity care obligation based
16 on the most recent audited actual experience.

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

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20 SENATE SUMMARY

21 Provides that, in using the formula set forth in s.
22 154.306, F.S., to calculate a county's responsibility to
23 pay for hospital treatment of indigent residents of that
24 county, the Agency for Health Care Administration must
25 subtract from the official state population estimate the
26 number of active-duty military personnel residing in the
27 county and the number of inmates and patients who are
28 residing in specified institutions in that county.
29 Requires counties to accept certain information provided
30 by hospitals.
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