

1 A bill to be entitled
2 An act relating to Medicaid assistance for
3 breast and cervical cancer treatment; creating
4 the Mary Brogan Breast and Cervical Cancer
5 Early Detection Program Act; amending s.
6 409.904, F.S.; authorizing Medicaid
7 reimbursement for medical assistance provided
8 to certain persons for treatment of breast or
9 cervical cancer; requiring the Department of
10 Health and the Agency for Health Care
11 Administration to monitor expenditures under
12 the act; requiring that certain services be
13 limited if expenditures are projected to exceed
14 appropriations; requiring the Department of
15 Health to submit an annual report to the
16 Legislature and the Governor; providing an
17 effective date.

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

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21 Section 1. Section 381.93, Florida Statutes is created
22 to read:

23 381.93 Breast and cervical cancer early detection
24 program.--This section may be cited as the "Mary Brogan Breast
25 and Cervical Cancer Early Detection Program Act."

26 (1) It is the intent of the Legislature to reduce the
27 rates of death due to breast and cervical cancer through early
28 diagnosis and increased access to early screening, diagnosis,
29 and treatment programs.

30 (2) The Department of Health, using available federal
31 funds and state funds appropriated for that purpose, is

1 authorized to establish the Mary Brogan Breast and Cervical
2 Cancer Screening and Early Detection Program to provide
3 screening, diagnosis, evaluation, treatment, case management,
4 and followup and referral to the Agency for Health Care
5 Administration for coverage of treatment services.

6 (3) The Mary Brogan Breast and Cervical Cancer Early
7 Detection Program shall be funded through grants for such
8 screening and early detection purposes from the federal
9 Centers for Disease Control and Prevention under Title XV of
10 the Public Health Service Act, 42 U.S.C. 300k et seq.

11 (4) The department shall limit enrollment in the
12 program to persons with incomes up to and including 200
13 percent of the federal poverty level. The department shall
14 establish an eligibility process that includes an
15 income-verification process to ensure that persons served
16 under the program meet income guidelines.

17 (5) The department may provide other breast and
18 cervical cancer screening and diagnostic services; however,
19 such services shall be funded separately through other sources
20 than this act.

21 Section 2. Subsection (9) is added to section 409.904,
22 Florida Statutes, to read:

23 409.904 Optional payments for eligible persons.--The
24 agency may make payments for medical assistance and related
25 services on behalf of the following persons who are determined
26 to be eligible subject to the income, assets, and categorical
27 eligibility tests set forth in federal and state law. Payment
28 on behalf of these Medicaid eligible persons is subject to the
29 availability of moneys and any limitations established by the
30 General Appropriations Act or chapter 216.

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1 (9) A woman who has not attained 65 years of age and
2 who has been screened for breast or cervical cancer by a
3 qualified entity under the Mary Brogan Breast and Cervical
4 Cancer Early Detection Program of the Department of Health and
5 needs treatment for breast or cervical cancer and is not
6 otherwise covered under creditable coverage, as defined in s.
7 2701(c) of the Public Health Service Act. For purposes of this
8 subsection, the term "qualified entity" means a county public
9 health department or other entity that has contracted with the
10 Department of Health to provide breast and cervical cancer
11 screening services paid for under this act. In determining the
12 eligibility of such a woman, an assets test is not required. A
13 presumptive eligibility period begins on the date on which all
14 eligibility criteria appear to be met and ends on the date
15 determination is made with respect to the eligibility of such
16 woman for services under the state plan or, in the case of
17 such a woman who does not file an application, by the last day
18 of the month following the month in which the presumptive
19 eligibility determination is made. A woman is eligible until
20 she gains creditable coverage, until treatment is no longer
21 necessary, or until attainment of 65 years of age.

22 Section 3. The Department of Health and the Agency for
23 Health Care Administration shall monitor the total Medicaid
24 expenditures for services made under this act. If Medicaid
25 expenditures are projected to exceed the amount appropriated
26 by the Legislature, the Department of Health shall limit the
27 number of screenings to ensure Medicaid expenditures do not
28 exceed the amount appropriated. The Department of Health, in
29 cooperation with the Agency for Health Care Administration,
30 shall prepare an annual report that must include the number of
31 women screened; the percentage of positive and negative

1 outcomes; the number of referrals to Medicaid and other
2 providers for treatment services; the estimated number of
3 women who are not screened or not served by Medicaid due to
4 funding limitations, if any; the cost of Medicaid treatment
5 services; and the estimated cost of treatment services for
6 women who were not screened or referred for treatment due to
7 funding limitations. The report shall be submitted to the
8 President of the Senate, the Speaker of the House of
9 Representatives, and the Executive Office of the Governor by
10 March 1 of each year.

11 Section 4. This act shall take effect July 1, 2001.

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