

Bill No. CS for CS for SB 1312

Amendment No. Barcode 411108

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Silver moved the following substitute for amendment (874776):

Senate Amendment (with title amendment)

On page 35, between lines 22 and 23,

insert:

Section 26. Paragraph (e) of subsection (5) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.--It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative

Bill No. CS for CS for SB 1312

Amendment No. ____ Barcode 411108

1 procedures shall be as provided in s. 212.054.

2 (5) COUNTY PUBLIC HOSPITAL SURTAX.--Any county as
3 defined in s. 125.011(1) may levy the surtax authorized in
4 this subsection pursuant to an ordinance either approved by
5 extraordinary vote of the county commission or conditioned to
6 take effect only upon approval by a majority vote of the
7 electors of the county voting in a referendum. In a county as
8 defined in s. 125.011(1), for the purposes of this subsection,
9 "county public general hospital" means a general hospital as
10 defined in s. 395.002 which is owned, operated, maintained, or
11 governed by the county or its agency, authority, or public
12 health trust.

13 (e) The Public Health Trust, created by the county
14 commission, shall adopt and implement a health care plan for
15 indigent health care services for a period of one year
16 beginning July 1, 2001.~~A governing board, agency, or~~
17 ~~authority shall be chartered by the county commission upon~~
18 ~~this act becoming law. The governing board, agency, or~~
19 ~~authority shall adopt and implement a health care plan for~~
20 ~~indigent health care services. The governing board, agency,~~
21 ~~or authority shall consist of no more than seven and no fewer~~
22 ~~than five members appointed by the county commission. The~~
23 ~~members of the governing board, agency, or authority shall be~~
24 ~~at least 18 years of age and residents of the county. No~~
25 ~~member may be employed by or affiliated with a health care~~
26 ~~provider or the public health trust, agency, or authority~~
27 ~~responsible for the county public general hospital. The~~
28 ~~following community organizations shall each appoint a~~
29 ~~representative to a nominating committee: the South Florida~~
30 ~~Hospital and Healthcare Association, the Miami-Dade County~~
31 ~~Public Health Trust, the Dade County Medical Association, the~~

Bill No. CS for CS for SB 1312

Amendment No. ____ Barcode 411108

1 ~~Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade~~
2 ~~County. This committee shall nominate between 10 and 14~~
3 ~~county citizens for the governing board, agency, or authority.~~
4 ~~The slate shall be presented to the county commission and the~~
5 ~~county commission shall confirm the top five to seven~~
6 ~~nominees, depending on the size of the governing board. Until~~
7 ~~such time as the governing board, agency, or authority is~~
8 ~~created, the funds provided for in subparagraph (d)2. shall be~~
9 ~~placed in a restricted account set aside from other county~~
10 ~~funds and not disbursed by the county for any other purpose.~~

11 1. The plan shall divide the county into a minimum of
12 four and maximum of six service areas, with no more than one
13 participant hospital per service area. The county public
14 general hospital shall be designated as the provider for one
15 of the service areas. Services shall be provided through
16 participants' primary acute care facilities.

17 2. The plan and subsequent amendments to it shall fund
18 a defined range of health care services for both indigent
19 persons and the medically poor, including primary care,
20 preventive care, hospital emergency room care, and hospital
21 care necessary to stabilize the patient. For the purposes of
22 this section, "stabilization" means stabilization as defined
23 in s. 397.311(30). Where consistent with these objectives, the
24 plan may include services rendered by physicians, clinics,
25 community hospitals, and alternative delivery sites, as well
26 as at least one regional referral hospital per service area.
27 The plan shall provide that agreements negotiated between the
28 Public Health Trust ~~governing board, agency, or authority~~ and
29 providers shall recognize hospitals that render a
30 disproportionate share of indigent care, provide other
31 incentives to promote the delivery of charity care to draw

Bill No. CS for CS for SB 1312

Amendment No. ____ Barcode 411108

1 down federal funds where appropriate, and require cost
2 containment, including, but not limited to, case management.
3 From the funds specified in subparagraphs (d)1. and 2. for
4 indigent health care services, service providers shall receive
5 reimbursement at a Medicaid rate to be determined by The
6 Public Health Trust ~~the governing board, agency or authority~~
7 ~~created pursuant to this paragraph~~ for the initial emergency
8 room visit, and a per-member per-month fee or capitation for
9 those members enrolled in their service area, as compensation
10 for the services rendered following the initial emergency
11 visit. Except for provisions of emergency services, upon
12 determination of eligibility, enrollment shall be deemed to
13 have occurred at the time services were rendered. The
14 provisions for specific reimbursement of emergency services
15 shall be repealed on July 1, 2001, unless otherwise reenacted
16 by the Legislature. The capitation amount or rate shall be
17 determined prior to program implementation by an independent
18 actuarial consultant. In no event shall such reimbursement
19 rates exceed the Medicaid rate. The plan must also provide
20 that any hospitals owned and operated by government entities
21 on or after the effective date of this act must, as a
22 condition of receiving funds under this subsection, afford
23 public access equal to that provided under s. 286.011 as to
24 any meeting of the governing board, agency, or authority the
25 subject of which is budgeting resources for the retention of
26 charity care, as that term is defined in the rules of the
27 Agency for Health Care Administration. The plan shall also
28 include innovative health care programs that provide
29 cost-effective alternatives to traditional methods of service
30 and delivery funding.

31 3. The plan's benefits shall be made available to all

Bill No. CS for CS for SB 1312

Amendment No. ____ Barcode 411108

1 county residents currently eligible to receive health care
2 services as indigents or medically poor as defined in
3 paragraph (4)(d).

4 4. Eligible residents who participate in the health
5 care plan shall receive coverage for a period of 12 months or
6 the period extending from the time of enrollment to the end of
7 the current fiscal year, per enrollment period, whichever is
8 less.

9 5. At the end of each fiscal year, the Public Health
10 Trust governing board, agency, or Authority shall prepare an
11 audit that reviews the budget of the plan, delivery of
12 services, and quality of services, and makes recommendations
13 to increase the plan's efficiency. The audit shall take into
14 account participant hospital satisfaction with the plan and
15 assess the amount of poststabilization patient transfers
16 requested, and accepted or denied, by the county public
17 general hospital.

18 Section 27. Section 11 of chapter 2000-312, Laws of
19 Florida, is amended to read:

20 Section 11. The provisions of this act shall be
21 reviewed by the Legislature prior to October 1, 2006 ~~2005~~, and
22 shall be repealed on that date unless otherwise reenacted by
23 the Legislature.

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25 (Redesignate subsequent sections.)

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

29 And the title is amended as follows:

30 On page 3, line 5

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Bill No. CS for CS for SB 1312

Amendment No. ____ Barcode 411108

1 after the second semicolon, insert:
2 amending s. 212.055, F.S.; revising provisions
3 relating to the county public hospital surtax;
4 revising procedures and requirements for
5 adoption and implementation of the health care
6 plan for indigent health care services;
7 amending s. 11 of ch. 2000-312, Laws of
8 Florida; postponing future review and repeal of
9 said provisions;

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