

By the Committee on Children and Families; and Senator Klein

300-1695B-01

1 A bill to be entitled
2 An act relating to children and families;
3 creating s. 409.9072, F.S.; requiring the
4 Agency for Health Care Administration to
5 develop mechanisms for certification of local
6 funds as state match for Medicaid projects, to
7 maximize federal Title XIX funding for children
8 and families; providing for return of funds to
9 the local entities; requiring prior approval of
10 local projects by the agency and the Department
11 of Children and Family Services; specifying
12 project requirements; providing for
13 modification of the Medicaid state plan;
14 providing for federal waivers; providing
15 responsibilities of the agency with respect to
16 administrative and service costs, monitoring of
17 service delivery, and standards and quality of
18 care; authorizing the department and the agency
19 to adopt rules; requiring an annual report;
20 providing an effective date.

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

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24 Section 1. It is the intent of the Legislature to use
25 local funding for Medicaid under Title XIX of the Social
26 Security Act, as amended, for children and families served
27 under Title IV-E of the Social Security Act, as amended, to
28 the fullest extent possible, so as to maximize federal funding
29 of such programs in the state. It is further the intent of the
30 Legislature that this act shall be revenue-neutral with
31 respect to state funds.

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

3 409.9072 Certification of local match funding for
4 Medicaid services for children and families served under Title
5 IV-E of the Social Security Act.--

6 (1) The agency, in compliance with appropriate federal
7 authorities, shall develop mechanisms to allow for
8 certification of local match funds for covered Medicaid
9 services under Title XIX of the Social Security Act, as
10 amended.

11 (a) The certification of match shall apply only to
12 services provided to children and their families who are
13 eligible under Medicaid and Medicaid expansion. Funds under
14 Title XIX of the Social Security Act which are provided to the
15 state as federal financial participation resulting from
16 certified local matching funds shall be returned to the local
17 entity that provided those funds.

18 (b) Local projects seeking to provide Medicaid
19 services to eligible children and their families must have
20 prior approval by the Department of Children and Family
21 Services and the agency in order to participate in any
22 certification of match effort. A project must demonstrate that
23 it has the clinical and administrative capability to provide
24 Medicaid covered services and shall agree to:

25 1. Be responsible for checking with the state Medicaid
26 office to verify that children and their families are eligible
27 at the time services are provided.

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

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

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

6 (c) The agency shall work with the local projects to
7 modify the Medicaid state plan and, in cooperation with the
8 Department of Children and Family Services, shall seek and
9 implement any federal waivers to ensure that all Medicaid
10 services are available to eligible clients of such projects
11 and to otherwise implement this subsection.

12 (d) Projects may receive Medicaid reimbursement for
13 services on either a fee-for-service basis or a capitation
14 basis. The agency shall develop provisions for monitoring
15 service delivery, ensuring appropriate provider networks in
16 accordance with s. 409.906, and analysis of administrative and
17 service cost ratios.

18 (e) Projects which operate on a fee-for-service basis
19 may assign a qualified organization to serve as a gatekeeper,
20 which may be responsible for the authorization of all services
21 for children enrolled in the project. The agency shall develop
22 quality-of-care standards for the providers who deliver these
23 services. The project may also provide case management
24 services to coordinate care and linkages with Medicaid
25 providers and other agencies.

26 (2) The department and the agency are authorized to
27 adopt rules consistent with chapter 120, Florida Statutes, to
28 implement this section.

29 (3) The department and the agency shall annually
30 prepare a report, to be submitted to the President of the
31 Senate, the Speaker of the House of Representatives, and the

1 chairs of the appropriate substantive and fiscal committees of
2 each chamber of the Legislature no later than January 1,
3 documenting the specific activities undertaken during the
4 previous fiscal year pursuant to this section.

5 Section 3. This act shall take effect July 1, 2001.

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 1724

10 Removes the provisions for certification of local funds as
11 state match for foster care and related programs under Title
12 IV-E of the Social Security Act because s. 409.26731, F.S.,
13 currently has provisions authorizing the department to certify
14 local funds as state match for eligible Title IV-E
15 expenditures.

16 Clarifies that local entities may utilize local funds for
17 Medicaid under Title XIX of the Social Security Act, as
18 amended, for children and families served under Title IV-E of
19 the Social Security Act, as amended.

20 Specifies that funds under Title XIX of the Social Security
21 Act provided to the state as federal financial participation
22 resulting from local matching funds must be returned to the
23 local entity that provided those funds.

24 Removes the provision that allows the Department of Children
25 and Family Services or the Agency for Health Care
26 Administration to deduct actual administrative costs for
27 implementing and monitoring the local match certification
28 program prior to the distribution of funds to the projects.
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