

By the Committee on Health, Aging and Long-Term Care

317-273-01

1 A bill to be entitled
2 An act relating to Medicaid; amending s.
3 409.904, F.S.; establishing the medically needy
4 income level; providing for the annual increase
5 of the medically needy income level; amending
6 s. 409.914, F.S.; amending procedures relating
7 to the Medicaid buy-in program to provide
8 medical assistance to a specified category of
9 individuals; amending criteria of eligibility
10 for the buy-in program; allowing the Agency for
11 Health Care Administration to apply for federal
12 waivers to ensure that the buy-in program
13 operates within specified constraints;
14 providing legislative intent; directing the
15 agency to seek approval from the Health Care
16 Financing Administration of a specified
17 methodology for calculating medical expenses
18 under the medically needy program; providing an
19 effective date.

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

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23 Section 1. Subsection (2) of section 409.904, Florida
24 Statutes, is amended to read:

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

3 (2) A family, a pregnant woman, a child under age 18,
4 a person age 65 or over, or a blind or disabled person who
5 would be eligible under any group listed in s. 409.903(1),
6 (2), or (3), except that the income or assets of such family
7 or person exceed established limitations. The medically needy
8 income level is 133-1/3 percent of the income limit used for
9 the persons described in s. 409.903(1).For a family or person
10 in this group, medical expenses are deductible from income in
11 accordance with federal requirements in order to make a
12 determination of eligibility. A family or person in this
13 group, which group is known as the "medically needy," is
14 eligible to receive the same services as other Medicaid
15 recipients, with the exception of services in skilled nursing
16 facilities and intermediate care facilities for the
17 developmentally disabled. Annually, beginning July 1, 2002,
18 the Department of Children and Family Services shall increase
19 the medically needy income level by the amount of the
20 "consumer price index for all urban consumers" for that year,
21 as published by the Bureau of Labor Statistics of the United
22 States Department of Labor.

23 Section 2. Subsection (2) of section 409.914, Florida
24 Statutes, is amended to read:

25 409.914 Assistance for the uninsured.--

26 (2)(a) The agency shall ~~seek federal statutory or~~
27 ~~regulatory reforms to~~ establish a Medicaid buy-in program to
28 provide medical assistance to disabled Medicaid recipients
29 who, after at least 6 months of Medicaid eligibility, become
30 persons ineligible for Medicaid because of increased current
31 income obtained from gainful employment ~~and categorical~~

1 ~~restrictions~~. The agency shall develop ~~use funds provided by~~
2 ~~the Robert Wood Johnson Foundation to assist in developing the~~
3 buy-in program, including, but not limited to, the
4 determination of eligibility and service coverages;
5 cost-sharing ~~cost sharing~~ requirements; managed-care ~~managed~~
6 ~~care~~ provisions; changes needed to the Medicaid program's
7 claims processing, utilization control, cost control, case
8 management, and provider enrollment systems to operate a
9 buy-in program. The agency may apply for federal waivers
10 necessary to ensure that the buy-in program operates within
11 existing general revenue and is limited to individuals who
12 would otherwise remain unemployed and on Medicaid.

13 (b) The agency shall seek federal authorization ~~and~~
14 ~~financial support~~ for a buy-in program that provides federally
15 supported medical assistance coverage ~~for persons with incomes~~
16 ~~up to 250 percent of the federal poverty level~~. The agency
17 shall not implement the Medicaid buy-in program until it has
18 received necessary federal authorization ~~and financial~~
19 ~~participation and state appropriations~~.

20 Section 3. It is the intent of the Legislature to
21 reduce the repetitive nature and complexity of the application
22 process for the medically needy program authorized under
23 section 490.904(2), Florida Statutes. The Legislature
24 therefore directs the Agency for Health Care Administration
25 and the Department of Children and Family Services, by January
26 1, 2002, to seek from the Health Care Financing Administration
27 approval to use a methodology for calculating medical expenses
28 under the medically needy program which allows the department,
29 upon certification by a physician that the applicant suffers
30 from a chronic condition and that the individual's medical
31 expenses are likely to remain constant, to prospectively

1 assume that the amount of the individual's medical expenses
2 for the subsequent 6 months will remain equal to the amount of
3 such expenses for the previous 6 months.

4 Section 4. This act shall take effect upon becoming a
5 law.

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8 SENATE SUMMARY

9 Establishes the medically needy income level and provides
10 for basing an annual increase in that level on the
11 federally published consumer price index for all urban
12 consumers. Amends procedures relating to the Medicaid
13 buy-in program to provide medical assistance to a
14 specified category of individuals. Amends the criteria of
15 eligibility for the buy-in program. Authorizes the Agency
16 for Health Care Administration to apply for federal
17 waivers to ensure that the buy-in program operates within
18 specified constraints. Provides legislative intent to
19 reduce the repetitiveness and complexity of applying for
20 the medically needy program. Directs the agency to seek
21 from the Health Care Financing Administration approval to
22 use a specified methodology for calculating medical
23 expenses under the medically needy program.
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