

hbd-08

Bill No. CS/HB 475

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Lerner offered the following:

Amendment (with title amendment)

On page 34, between lines 21 and 22, of the bill

insert:

Section 25. 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 procedures shall be as provided in s. 212.054.

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

12 (e) The Health Policy Authority, created by the county
13 commission, shall adopt and implement a health care plan for
14 indigent health care services.~~A governing board, agency, or~~
15 ~~authority shall be chartered by the county commission upon~~
16 ~~this act becoming law. The governing board, agency, or~~
17 ~~authority shall adopt and implement a health care plan for~~
18 ~~indigent health care services. The governing board, agency,~~
19 ~~or authority shall consist of no more than seven and no fewer~~
20 ~~than five members appointed by the county commission. The~~
21 ~~members of the governing board, agency, or authority shall be~~
22 ~~at least 18 years of age and residents of the county. No~~
23 ~~member may be employed by or affiliated with a health care~~
24 ~~provider or the public health trust, agency, or authority~~
25 ~~responsible for the county public general hospital. The~~
26 ~~following community organizations shall each appoint a~~
27 ~~representative to a nominating committee: the South Florida~~
28 ~~Hospital and Healthcare Association, the Miami-Dade County~~
29 ~~Public Health Trust, the Dade County Medical Association, the~~
30 ~~Miami-Dade County Homeless Trust, and the Mayor of Miami-Dade~~
31 ~~County. This committee shall nominate between 10 and 14~~

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

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

15 2. The plan and subsequent amendments to it shall fund
 16 a defined range of health care services for both indigent
 17 persons and the medically poor, including ~~primary care,~~
 18 ~~preventive care,~~ hospital emergency room care, and hospital
 19 care necessary to stabilize the patient. For the purposes of
 20 this section, "stabilization" means stabilization as defined
 21 in s. 397.311(30). ~~Where consistent with these objectives, the~~
 22 ~~plan may include services rendered by physicians, clinics,~~
 23 ~~community hospitals, and alternative delivery sites, as well~~
 24 ~~as at least one regional referral hospital per service area.~~
 25 The plan shall provide that agreements negotiated between the
 26 governing board, agency, or authority and providers shall
 27 recognize hospitals that render a disproportionate share of
 28 indigent care, provide other incentives to promote the
 29 delivery of charity care to draw down federal funds where
 30 appropriate, and require cost containment, including, but not
 31 limited to, case management. From the funds specified in

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1 subparagraphs (d)1. and 2. for indigent health care services,
2 service providers shall receive reimbursement at a Medicaid
3 rate, ~~to be determined by the governing board, agency, or~~
4 ~~authority created pursuant to this paragraph for the initial~~
5 ~~emergency room visit, and a per-member per-month fee or~~
6 ~~capitation for those members enrolled in their service area,~~
7 ~~as compensation for the services rendered following the~~
8 ~~initial emergency visit. Except for provisions of emergency~~
9 ~~services, upon determination of eligibility, enrollment shall~~
10 ~~be deemed to have occurred at the time services were rendered.~~
11 ~~The provisions for specific reimbursement of emergency~~
12 ~~services shall be repealed on July 1, 2001, unless otherwise~~
13 ~~reenacted by the Legislature. The capitation amount or rate~~
14 ~~shall be determined prior to program implementation by an~~
15 ~~independent actuarial consultant. In no event shall the such~~
16 ~~reimbursement rates exceed the Medicaid rate. The plan must~~
17 ~~also provide that any hospitals owned and operated by~~
18 ~~government entities on or after the effective date of this act~~
19 ~~must, as a condition of receiving funds under this subsection,~~
20 ~~afford public access equal to that provided under s. 286.011~~
21 ~~as to any meeting of the governing board, agency, or authority~~
22 ~~the subject of which is budgeting resources for the retention~~
23 ~~of charity care, as that term is defined in the rules of the~~
24 ~~Agency for Health Care Administration. The plan shall also~~
25 ~~include innovative health care programs that provide~~
26 ~~cost-effective alternatives to traditional methods of service~~
27 ~~and delivery funding.~~

28 3. The plan's benefits shall be made available to all
29 county residents currently eligible to receive health care
30 services as indigents or medically poor as defined in
31 paragraph (4)(d).

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

6 ~~4.5.~~ At the end of each fiscal year, the Health Policy
7 ~~governing board, agency, or~~ Authority shall prepare an audit
8 that reviews the budget of the plan, delivery of services, and
9 quality of services, and makes recommendations to increase the
10 plan's efficiency. The audit shall take into account
11 participant hospital satisfaction with the plan and assess the
12 amount of poststabilization patient transfers requested, and
13 accepted or denied, by the county public general hospital.

14 Section 26. Section 11 of chapter 2000-312, Laws of
15 Florida, is amended to read:

16 Section 11. The provisions of this act shall be
17 reviewed by the Legislature prior to October 1, 2006 ~~2005~~, and
18 shall be repealed on that date unless otherwise reenacted by
19 the Legislature.

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

23 And the title is amended as follows:

24 On page 3, line 8,

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26

after the semicolon, insert:

27 amending s. 212.055, F.S.; revising provisions
28 relating to the county public hospital surtax;
29 revising procedures and requirements for
30 adoption and implementation of the health care
31 plan for indigent health care services;

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amending s. 11 of ch. 2000-312, Laws of
Florida; postponing future review and repeal of
said provisions;