

By the Committee on Health Promotion and Representatives  
Lerner, Gannon, Detert, Ritter, Henriquez, Greenstein, Heyman,  
Rich, Weissman, Mahon, Frankel, Sobel, Seiler, Betancourt,  
Meadows, Ausley, Kosmas, Littlefield, Harrell, Ryan,  
(Additional Sponsors on Last Printed Page)

1                                   A bill to be entitled  
2           An act relating to breast and cervical cancer;  
3           creating s. 381.93, F.S.; providing a short  
4           title; providing legislative intent;  
5           authorizing specified breast and cervical  
6           cancer services to be rendered by the  
7           Department of Health; providing for funding  
8           sources for such services; providing for limits  
9           on service enrollment based on income;  
10          providing for income verification; authorizing  
11          the department to provide related services  
12          funded by other means; amending s. 409.904,  
13          F.S.; providing for Medicaid eligibility for  
14          certain women in need of treatment for breast  
15          and cervical cancer; specifying "qualified  
16          entity" for such purpose; providing for  
17          eligibility, presumptive eligibility, and  
18          duration of eligibility; providing an effective  
19          date.

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

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23           Section 1. Section 381.93, Florida Statutes, is  
24 created to read:

25           381.93 Mary Brogan Breast and Cervical Cancer Early  
26 Detection Program.--This section may be cited as the "Mary  
27 Brogan Breast and Cervical Cancer Early Detection Program  
28 Act."

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

3 (2) The Department of Health, using available federal  
4 funds and state funds appropriated for that purpose, is  
5 authorized to establish the Mary Brogan Breast and Cervical  
6 Cancer Early Detection Program to provide screening,  
7 diagnosis, evaluation, case management, followup services, and  
8 referral to the Agency for Health Care Administration for  
9 treatment.

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

15 (4) The department shall limit enrollment in the  
16 program to persons with incomes at or below 200 percent of the  
17 federal poverty level. The department shall establish an  
18 eligibility process which includes an income verification  
19 process to ensure that persons served under the program meet  
20 income guidelines.

21 (5) The department may provide other breast and  
22 cervical cancer screening and diagnostic services; however,  
23 such services shall be funded through sources of funds other  
24 than those provided in this section.

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

27 409.904 Optional payments for eligible persons.--The  
28 agency may make payments for medical assistance and related  
29 services on behalf of the following persons who are determined  
30 to be eligible subject to the income, assets, and categorical  
31 eligibility tests set forth in federal and state law. Payment

1 on behalf of these Medicaid eligible persons is subject to the  
2 availability of moneys and any limitations established by the  
3 General Appropriations Act or chapter 216.

4       (9) A woman who has not attained 65 years of age and  
5 who has been screened for breast or cervical cancer by a  
6 qualified entity under the Mary Brogan Breast and Cervical  
7 Cancer Early Detection Program of the Department of Health and  
8 needs treatment for breast or cervical cancer and is not  
9 otherwise covered under creditable coverage, as defined in s.  
10 2701(c) of the Public Health Service Act. For purposes of this  
11 subsection, a "qualified entity" is a county health department  
12 or other entity which has contracted with the Department of  
13 Health to provide breast and cervical cancer screening  
14 services funded pursuant to s. 381.93. In determining the  
15 eligibility of such a woman, an assets test is not required. A  
16 presumptive eligibility period begins on the date on which all  
17 eligibility criteria appear to be met and ends on the date  
18 determination is made with respect to the eligibility of such  
19 woman for services under the state plan or, in the case of  
20 such a woman who does not file an application, by the last day  
21 of the month following the month during which the presumptive  
22 eligibility determination is made. A woman is eligible until  
23 she gains creditable coverage, until treatment is no longer  
24 necessary, or until attainment of 65 years of age.

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

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ADDITIONAL SPONSORS

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