

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 that funding  
19          is contingent upon specific appropriation;  
20          providing for monitoring of Medicaid  
21          expenditures; requiring an annual report;  
22          providing an effective date.

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

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26           Section 1.   Section 381.93, Florida Statutes, is  
27   created to read:

28           381.93 Mary Brogan Breast and Cervical Cancer Early  
29   Detection Program.--This section may be cited as the "Mary  
30   Brogan Breast and Cervical Cancer Early Detection Program  
31   Act."

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

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

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

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

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

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

29           409.904 Optional payments for eligible persons.--The  
30 agency may make payments for medical assistance and related  
31 services on behalf of the following persons who are determined

1 to be eligible subject to the income, assets, and categorical  
2 eligibility tests set forth in federal and state law. Payment  
3 on behalf of these Medicaid eligible persons is subject to the  
4 availability of moneys and any limitations established by the  
5 General Appropriations Act or chapter 216.

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

27 Section 3. Implementation of the provisions of this  
28 act is contingent upon specific appropriation therefore.

29 Section 4. The Department of Health and the Agency for  
30 Health Care Administration shall monitor the total Medicaid  
31 expenditures for services provided under this act. In the

1 event that Medicaid expenditures are projected to exceed the  
2 amount appropriated, the Department of Health shall limit the  
3 number of screenings to ensure that Medicaid expenditures  
4 remain within appropriation. The Department of Health, in  
5 cooperation with the Agency for Health Care Administration,  
6 shall prepare an annual report which shall include the number  
7 of women screened, the percentage of positive and negative  
8 outcomes, the number of referrals to Medicaid and other  
9 providers for treatment services, the estimated number of  
10 women not screened or not served by Medicaid due to  
11 appropriation limitations, if any, the cost of Medicaid  
12 treatment services, and the estimated cost of treatment  
13 services for women not screened or referred due to  
14 appropriation limitations. This report shall be submitted to  
15 the President of the Senate, the Speaker of the House of  
16 Representatives, and the Executive Office of the Governor by  
17 March 1 of each year.

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