

By Representative Barreiro

1 A bill to be entitled
2 An act relating to social and economic
3 assistance; amending s. 409.814, F.S.;
4 providing for Florida Kidcare program
5 enrollment of certain immigrant children not
6 eligible for specified federal programs;
7 creating s. 409.9041, F.S.; requiring a state
8 medical assistance program for certain
9 immigrants not eligible for federal Medicaid
10 benefits; amending s. 414.31, F.S.; requiring a
11 state food stamp program for certain immigrants
12 not eligible for the federal food stamp
13 program; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Subsection (4) of section 409.814, Florida
18 Statutes, is amended, present subsection (7) is renumbered as
19 subsection (8), and a new subsection (7) is added to said
20 section, to read:

21 409.814 Eligibility.--A child whose family income is
22 equal to or below 200 percent of the federal poverty level is
23 eligible for the Florida Kidcare program as provided in this
24 section. In determining the eligibility of such a child, an
25 assets test is not required. An applicant under 19 years of
26 age who, based on a complete application, appears to be
27 eligible for the Medicaid component of the Florida Kidcare
28 program is presumed eligible for coverage under Medicaid,
29 subject to federal rules. A child who has been deemed
30 presumptively eligible for Medicaid shall not be enrolled in a
31 managed care plan until the child's full eligibility

1 determination for Medicaid has been completed. The Florida
2 Healthy Kids Corporation may, subject to compliance with
3 applicable requirements of the Agency for Health Care
4 Administration and the Department of Children and Family
5 Services, be designated as an entity to conduct presumptive
6 eligibility determinations. An applicant under 19 years of age
7 who, based on a complete application, appears to be eligible
8 for the Medikids, Florida Healthy Kids, or Children's Medical
9 Services network program component, who is screened as
10 ineligible for Medicaid and prior to the monthly verification
11 of the applicant's enrollment in Medicaid or of eligibility
12 for coverage under the state employee health benefit plan, may
13 be enrolled in and begin receiving coverage from the
14 appropriate program component on the first day of the month
15 following the receipt of a completed application. For
16 enrollment in the Children's Medical Services network, a
17 complete application includes the medical or behavioral health
18 screening. If, after verification, an individual is determined
19 to be ineligible for coverage, he or she must be disenrolled
20 from the respective Title XXI-funded Kidcare program
21 component.

22 (4) The following children are not eligible to receive
23 premium assistance for health benefits coverage under ss.
24 409.810-409.820, except under Medicaid if the child would have
25 been eligible for Medicaid under s. 409.903 or s. 409.904 as
26 of June 1, 1997:

27 (a) A child who is eligible for coverage under a state
28 health benefit plan on the basis of a family member's
29 employment with a public agency in the state.

30 (b) A child who is covered under a group health
31 benefit plan or under other health insurance coverage,

1 excluding coverage provided under the Florida Healthy Kids
2 Corporation as established under s. 624.91.

3 (c) A child who is seeking premium assistance for
4 employer-sponsored group coverage, if the child has been
5 covered by the same employer's group coverage during the 6
6 months prior to the family's submitting an application for
7 determination of eligibility under the Florida Kidcare
8 program.

9 ~~(d) A child who is an alien, but who does not meet the~~
10 ~~definition of qualified alien, in the United States.~~

11 ~~(d)(e)~~ A child who is an inmate of a public
12 institution or a patient in an institution for mental
13 diseases.

14 (7) Children who are ineligible for federal funding
15 under Medicaid, Title XXI of the Social Security Act, or under
16 the state child health insurance program, Title XXI of the
17 Social Security Act, due to their immigration status shall be
18 enrolled in the appropriate Florida Kidcare program based on
19 the family income, and their coverage must be provided by
20 state-only funds.

21 Section 2. Section 409.9041, Florida Statutes, is
22 created to read:

23 409.9041 Optional state-only payment for legal
24 immigrants.--The state shall establish a medical assistance
25 program for persons who are not eligible for federal Medicaid
26 benefits under Title XXI of the Social Security Act solely due
27 to their immigration status but whose immigration status meets
28 the eligibility criteria of the Medicaid program which were in
29 effect on August 21, 1996.

30 Section 3. Subsection (3) is added to section 414.31,
31 Florida Statutes, to read:

1 414.31 State agency for administering federal food
2 stamp program.--
3 (3) The department shall operate a state food stamp
4 program to provide benefits to needy legal immigrants who were
5 lawfully residing in the United States on August 22, 1996, and
6 who are ineligible for federal food stamps under s. 402 of the
7 Personal Responsibility and Work Opportunity Reconciliation
8 Act of 1996, Pub. L. No. 104-193, as amended, and who meet the
9 definition of the term "child" or "elderly" as set forth in
10 the federal Food Stamp Act. Benefits must be provided at the
11 same level as those provided under the federal food stamp
12 program.

13 Section 4. This act shall take effect July 1, 2002.

14
15 *****

16 HOUSE SUMMARY

17 Provides for Florida Kidcare program enrollment of legal
18 immigrant children not eligible for Medicaid (Title XXI)
19 or state child health insurance (Title XXI) funding.
20 Provides for a state-paid medical assistance program for
21 children and elderly persons who are legal immigrants and
22 are not eligible for federal Medicaid benefits. Provides
23 for a state food stamp program for needy legal immigrants
24 who are not eligible for federal food stamps.
25
26
27
28
29
30
31