

By Senator Silver

38-1139A-02

1                                   A bill to be entitled  
2           An act relating to access to health and human  
3           services; creating s. 408.911, F.S.; providing  
4           a short title; creating s. 408.912, F.S.;  
5           providing legislative findings and intent with  
6           respect to access to state-funded health  
7           services; creating s. 408.913, F.S.; requiring  
8           the Agency for Health Care Administration to  
9           establish as a pilot project a comprehensive  
10          health and human services eligibility access  
11          system; establishing requirements for each  
12          component of the system; creating s. 408.914,  
13          F.S.; requiring the Agency for Health Care  
14          Administration to phase in implementation of  
15          the comprehensive health and human services  
16          eligibility access system; specifying  
17          timeframes for each implementation phase;  
18          requiring that the agency submit a plan for  
19          statewide implementation to the Governor and  
20          Legislature; creating s. 408.915, F.S.;  
21          requiring the Agency for Health Care  
22          Administration to develop and implement a pilot  
23          project to integrate eligibility determination  
24          and information and referral services;  
25          establishing requirements for the pilot  
26          project; establishing requirements for  
27          information and referral; specifying the scope  
28          of the project; authorizing the agency to  
29          request federal waivers; creating s. 408.916,  
30          F.S.; establishing the Health Care Access  
31          Steering Committee; providing for membership of

1 the steering committee; providing duties;  
2 establishing an expiration date for the  
3 steering committee; creating s. 408.917, F.S.;  
4 requiring an evaluation of the pilot project;  
5 requiring a report to the Governor and  
6 Legislature; specifying issues to be addressed  
7 in the report; creating s. 408.918, F.S.;  
8 authorizing the planning, development, and  
9 implementation of the Florida 211 Network;  
10 providing objectives for the Florida 211  
11 Network; requiring the Agency for Health Care  
12 Administration to establish criteria for  
13 certification of information and referral  
14 entities to participate in the Florida 211  
15 Network; providing for revocation of 211  
16 numbers from uncertified information and  
17 referral entities; providing for assistance in  
18 resolving disputes from the Public Service  
19 Commission and the Federal Communications  
20 Commission; providing an effective date.

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

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24 Section 1. Section 408.911, Florida Statutes, is  
25 created to read:

26 408.911 Short title.--Sections 408.911-408.918 may be  
27 cited as the "Florida Health and Human Services Access Act."

28 Section 2. Section 408.912, Florida Statutes, is  
29 created to read:

30 408.912 Legislative findings and intent.--

31 (1) The Legislature finds that:

1           (a) Procedures for accessing state-funded health and  
2 human services are fragmented, which can result in redundant,  
3 incomplete, and inefficient service delivery;

4           (b) The process for determining eligibility for  
5 state-funded health and human services is unnecessarily  
6 cumbersome and complex, often requiring repeated visits to an  
7 eligibility office to resolve questions regarding family  
8 circumstances;

9           (c) Individuals and families who are eligible for  
10 multiple state programs are confronted with multiple,  
11 uncoordinated case managers and care plans;

12           (d) Information and referral entities provide a vital  
13 service that informs, guides, directs, and links people to  
14 appropriate local health and human services resources and  
15 services;

16           (e) There is no comprehensive, statewide health and  
17 human services information and referral system in this state  
18 and no way for a person to easily determine the availability  
19 of health and human services needed by an individual or  
20 family, or the status of the eligibility of an individual or  
21 family for such services;

22           (f) There are no consistent, statewide standards,  
23 training, or criteria for technical support regarding  
24 information on and referral for health and human services;  
25 there are no consistent standards, criteria, or statutory  
26 framework to guide appropriate sharing of information; and  
27 there is duplicative management and funding of information and  
28 referral systems and processes; and

29           (g) There is a demonstrated need for an  
30 easy-to-remember, easy-to-use dialing code that will enable  
31 persons in need, perhaps even critically so, to be directed to

1 available community resources, and that the use of a single  
2 dialing code, serving as a primary point of contact, will  
3 simplify access to the services and resources of both the  
4 government and the nonprofit community.

5 (2) It is, therefore, the intent of the Legislature to  
6 establish a pilot project to demonstrate the feasibility of  
7 combining the easy access to information provided by a  
8 comprehensive information and referral service with a  
9 streamlined and simplified approach to determining eligibility  
10 for state-funded health care and, if feasible, other human  
11 services. It is the intent of the Legislature that the state  
12 agencies that provide health and human services develop  
13 coordinated care management for individuals and families with  
14 multiple needs. It is the intent of the Legislature that a  
15 comprehensive information and referral system for health and  
16 human services be developed in the state. It is further the  
17 intent of the Legislature to establish a governing body to  
18 guide the implementation of the pilot project and make  
19 recommendations to the Legislature for expanding the pilot  
20 project to other areas of the state.

21 Section 3. Section 408.913, Florida Statutes, is  
22 created to read:

23 408.913 Comprehensive Health and Human Services  
24 Eligibility Access System.--

25 (1) The Agency for Health Care Administration shall  
26 develop a comprehensive, automated system for access to health  
27 care services. This system shall, to the greatest extent  
28 possible, use the capacity of existing automated systems so as  
29 to maximize the benefit of investments already made in  
30 information technology and minimize additional costs.

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1           (2) The benefit-eligibility component of the system  
2 shall include simplified access through coordination with  
3 information and referral telephone systems. This does not  
4 preclude use of other methods of application, including  
5 mail-in applications, office visits, or on-line applications  
6 via the Internet. The eligibility component of the system  
7 shall include:

8           (a) Improved access to eligibility-status information.

9           (b) Development and sharing of information with  
10 eligible individuals and families regarding choices available  
11 to them for using health care services.

12           (3) The state agencies providing the medical,  
13 clinical, and related health care support services for special  
14 populations, including frail elders, adults with disabilities,  
15 and children with special needs shall develop systems for  
16 these populations which integrate and coordinate care and  
17 improved communication. These systems must include development  
18 of standard protocols for care planning and assessment, a  
19 focus on family involvement, and methods to communicate across  
20 systems, including automated methods, in order to improve  
21 integration and coordination of services.

22           Section 4. Section 408.914, Florida Statutes, is  
23 created to read:

24           408.914 Phased implementation plan.--The Agency for  
25 Health Care Administration, in consultation with the Health  
26 Care Access Steering Committee created in s. 408.916, shall  
27 phase in the implementation of the Comprehensive Health and  
28 Human Services Eligibility Access System.

29           (1) The first phase of implementation shall be a pilot  
30 project in one or more contiguous counties to demonstrate the  
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1 feasibility of integrating eligibility determination for  
2 health care services with information and referral services.

3 (2) Upon demonstration of the feasibility of the first  
4 phase of implementation, and subject to appropriation of any  
5 necessary resources, the steering committee shall develop a  
6 detailed implementation plan for the care-management component  
7 of the system. The implementation plan must include the  
8 steering committee's recommendation of one or more state  
9 agencies that should be designated to implement the  
10 case-management component of the system.

11 (3) Options for further implementation of the system  
12 may include a phased implementation of the eligibility  
13 component in additional sites before implementing the  
14 remaining components of the system or may include  
15 implementation of the care management and service system  
16 components along with the eligibility components.

17 (4) The Agency for Health Care Administration, in  
18 consultation with the steering committee, shall complete  
19 analysis of the initial pilot project by November 1, 2003, and  
20 by January 1, 2004, shall submit a plan to the Governor, the  
21 President of the Senate, and the Speaker of the House of  
22 Representatives for statewide implementation of all components  
23 of the system, if warranted. This plan must also include  
24 recommendations for incorporating additional public assistance  
25 and human services programs into the Comprehensive Health and  
26 Human Services Eligibility Access System.

27 Section 5. Section 408.915, Florida Statutes, is  
28 created to read:

29 408.915 Eligibility pilot project.--The Agency for  
30 Health Care Administration, in consultation with the steering  
31 committee established in s. 408.916, shall develop and

1 implement a pilot project to integrate the determination of  
2 eligibility for health care services with information and  
3 referral services.

4 (1) The pilot project shall operate in one or more  
5 contiguous counties, as selected by the agency in consultation  
6 with the steering committee.

7 (2) The pilot project shall focus on developing, to  
8 the maximum extent possible, a process for eligibility  
9 application which:

10 (a) Uses a single uniform electronic application  
11 process, but permits applying for health services through  
12 various entry points, including information and referral  
13 providers, state agency program personnel or contracted  
14 providers, the mail, or the Internet;

15 (b) Is linked to a shared database that will have the  
16 capability to sort or store information by families as well as  
17 individuals;

18 (c) Permits electronic input and storage of data and  
19 electronic verification and exchange of information;

20 (d) Is compliant with the federal Health Insurance  
21 Portability and Accountability Act, as well as all other  
22 applicable state and federal confidentiality requirements; and

23 (e) Includes an initial screening component for  
24 referring applicants to other health and human services  
25 programs provided through state agencies, including programs  
26 addressing developmental delays, developmental disabilities,  
27 chronic physical illness, mental health needs, substance abuse  
28 needs, elder and aging needs, and other health care needs.

29 (3) The information and referral provider in the site  
30 selected as the pilot project shall, at a minimum:  
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1           (a) Execute a memorandum of understanding with the  
2 local community volunteer placement centers;

3           (b) Implement, or be in the process of implementing, a  
4 shared, web-based, information and eligibility database with  
5 community health providers and funders;

6           (c) Provide comprehensive information and referral  
7 services 24 hours per day, 7 days per week;

8           (d) Agree, in writing, to become accredited within 3  
9 years by a nationally recognized information and referral  
10 accrediting agency;

11           (e) Execute a memorandum of understanding with 911 and  
12 other emergency response agencies in the pilot area;

13           (f) Implement policies and structured training to  
14 effectively respond to crisis calls or obtain accreditation by  
15 a nationally recognized mental health or crisis accrediting  
16 agency;

17           (g) Obtain teletypewriter and multi-language  
18 accessibility, either on-site or through a translation  
19 service;

20           (h) Develop resources to support and publicize  
21 information and referral services and provide ongoing  
22 education to the public on the availability of such services;  
23 and

24           (i) Provide periodic reports to the Governor, the  
25 President of the Senate, and the Speaker of the House of  
26 Representatives on the use of the information and referral  
27 system and on measures that demonstrate the effectiveness and  
28 efficiency of the information and referral services provided.

29           (4) The pilot project shall include eligibility  
30 determinations for the following programs:  
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1           (a) Medicaid under Title XIX of the Social Security  
2 Act.

3           (b) Medikids as created in s. 409.8132.

4           (c) Florida Healthy Kids as described in s. 624.91 and  
5 within eligibility guidelines provided in s. 409.814.

6           (d) Eligibility for Florida Kidcare services outside  
7 of the scope of Title XIX or Title XXI of the Social Security  
8 Act as provided in s. 409.814.

9           (e) State and local publicly funded health and social  
10 services programs as determined appropriate by the steering  
11 committee.

12           (5) If the Secretary of Health Care Administration, in  
13 consultation with the steering committee established in s.  
14 408.916, determines that it would facilitate operation of the  
15 pilot project to obtain federal waiver authority, the agency  
16 shall request such waiver authority from the appropriate  
17 federal agency.

18           Section 6. Section 408.916, Florida Statutes, is  
19 created to read:

20           408.916 Steering committee.--In order to guide the  
21 implementation of the pilot project, there is created a Health  
22 Care Access Steering Committee.

23           (1) The steering committee shall be composed of the  
24 following members:

25           (a) The Secretary of Health Care Administration.

26           (b) The Secretary of Children and Family Services.

27           (c) The Secretary of Elderly Affairs.

28           (d) The Secretary of Health.

29           (e) A representative of the Florida Alliance of  
30 Information and Referral Services.

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1           (2) The steering committee may designate additional ad  
2 hoc members or technical advisors as the committee finds is  
3 appropriate.

4           (3) The Secretary of Health Care Administration shall  
5 be the chairperson of the steering committee.

6           (4) The steering committee shall provide oversight to  
7 the ongoing implementation of the pilot project, provide  
8 consultation and guidance on matters of policy, and provide  
9 oversight to the evaluation of the pilot project.

10           (5) The steering committee shall complete its  
11 activities by June 30, 2004, and the authorization for the  
12 steering committee ends on that date.

13           Section 7. Section 408.917, Florida Statutes, is  
14 created to read:

15           408.917 Evaluation of the pilot project.--The Agency  
16 for Health Care Administration, in consultation with the  
17 steering committee, shall conduct or contract for an  
18 evaluation of the pilot project under the guidance and  
19 oversight of the steering committee. The agency shall ensure  
20 that the evaluation is submitted to the Governor and  
21 Legislature by June 30, 2004. The evaluation report must  
22 address at least the following questions:

23           (1) What has been the impact of the pilot project on  
24 improving access to the process of determining eligibility?

25           (2) Based on the experience of the pilot project, what  
26 is the projected cost of statewide implementation?

27           (3) What has been the impact of the pilot project on  
28 the caseload trends in publicly funded programs and what is  
29 the projected impact of statewide implementation?

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1           (4) How has the implementation of the pilot project  
2 affected customer satisfaction with access to eligibility  
3 determination for state-funded health services?

4           (5) Does the experience of the pilot project support  
5 continued expansion of the concept?

6           (6) What changes or modifications to the concepts of  
7 the pilot project are recommended for future sites?

8           Section 8. Section 408.918, Florida Statutes, is  
9 created to read:

10           408.918 Florida 211 Network; uniform certification  
11 requirements.--

12           (1) The Legislature authorizes the planning,  
13 development, and, subject to appropriations, the  
14 implementation of a statewide Florida 211 Network, which shall  
15 serve as the single point of coordination for information and  
16 referral for health and human services. The objectives for  
17 establishing the Florida 211 Network shall be to:

18           (a) Provide comprehensive and cost-effective access to  
19 health and human services information.

20           (b) Improve access to accurate information by  
21 simplifying and enhancing state and local health and human  
22 services information and referral systems and by fostering  
23 collaboration among information and referral systems.

24           (c) Electronically connect local information and  
25 referral systems to each other, to service providers, and to  
26 consumers of information and referral services.

27           (d) Establish and promote standards for data  
28 collection and for distributing information among state and  
29 local organizations.

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1           (e) Promote the use of a common dialing access code  
2 and the visibility and public awareness of the availability of  
3 information and referral services.

4           (f) Provide a management and administrative structure  
5 to support the Florida 211 Network and establish technical  
6 assistance, training, and support programs for information and  
7 referral-service programs.

8           (g) Test methods for integrating information and  
9 referral services with local and state health and human  
10 services programs and for consolidating and streamlining  
11 eligibility and case-management processes.

12           (h) Provide access to standardized, comprehensive data  
13 to assist in identifying gaps and needs in health and human  
14 services programs.

15           (i) Provide a unified systems plan with a developed  
16 platform, taxonomy, and standards for data management and  
17 access.

18           (2) In order to participate in the Florida 211  
19 Network, a provider of information and referral services must  
20 be certified by the Agency for Health Care Administration. The  
21 agency shall develop criteria for certification, as  
22 recommended by the Florida Alliance of Information and  
23 Referral Services, and shall adopt the criteria as  
24 administrative rules.

25           (a) If any provider of information and referral  
26 services or other entity leases a 211 number from a local  
27 exchange company and is not certified by the agency, the  
28 agency shall, after consultation with the local exchange  
29 company and the Public Service Commission, request that the  
30 Federal Communications Commission direct the local exchange  
31 company to revoke the use of the 211 number.

1           (b) The agency shall seek the assistance and guidance  
2 of the Public Service Commission and the Federal  
3 Communications Commission in resolving any disputes arising  
4 over jurisdiction related to 211 numbers.

5           Section 9. This act shall take effect upon becoming a  
6 law.

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9                                       SENATE SUMMARY

10           Creates the Florida Health and Human Services Access Act.  
11           Requires the Agency for Health Care Administration to  
12           establish the Comprehensive Health and Human Services  
13           Eligibility Access System. Requires that the agency begin  
14           with a pilot project and phase in implementation of the  
15           system. Establishes the Health Care Access Steering  
                Committee to guide implementation of the pilot project.  
                Provides for the creation of the Florida 211 Network to  
                serve as a single point of coordination for information  
                and referral for health and human services. (See bill for  
                details.)

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