

By Senator Lawson

3-1392-02

1 A bill to be entitled
2 An act relating to health insurance; providing
3 legislative intent to provide expanded access
4 to health insurance for adults living in
5 families whose income is at or below the
6 federal poverty level and to access federal
7 funds for this coverage; requiring the Agency
8 for Health Care Administration to file
9 amendments to the state plan and waiver
10 requests with the U.S. Department of Health and
11 Human Services; amending s. 409.901, F.S.;
12 defining the term "family"; amending s.
13 409.904, F.S.; authorizing the agency to make
14 payments for medical assistance for families
15 and individuals whose income is at or below 133
16 percent of the federal poverty level; providing
17 for future repeal; providing an effective date.

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

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21 Section 1. Legislative intent.--It is the intent of
22 the Legislature to continue to meet the goal to assure access
23 to health insurance to all Floridians who are uninsured. Over
24 the course of several years, health insurance through the
25 KidCare program has been extended to children living in
26 families whose income levels are at or below 200 percent of
27 the federal poverty level. However, many of the parents of
28 these children are uninsured and without the means to purchase
29 health insurance. Federal funds are available to help pay for
30 health insurance for low-income families through the medical
31 assistance programs under Title XIX and Title XXI of the

1 Social Security Act. It is the intent of the Legislature to
2 provide expanded access to health insurance for eligible
3 families and to access federal funds available for this
4 coverage. It is further the intent of the Legislature to
5 provide access to health insurance coverage for individuals
6 and families with income at or below 133 percent of the
7 federal poverty level, regardless of current Medicaid
8 categorical eligibility. The Agency for Health Care
9 Administration is directed to file the appropriate state plan
10 amendments and waiver requests with the U.S. Department of
11 Health and Human Services in order to provide access to this
12 coverage and maximize all federal funds for provisions of this
13 coverage.

14 Section 2. Present subsections (11), (12), (13), (14),
15 (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
16 (25), and (26) of section 409.901, Florida Statutes, are
17 redesignated as subsections (12), (13), (14), (15), (16),
18 (17), (18), (19), (20), (21), (22), (23), (24), (25), (26),
19 and (27), respectively, and a new subsection (11) is added to
20 that section to read:

21 409.901 Definitions; ss. 409.901-409.920.--As used in
22 ss. 409.901-409.920, except as otherwise specifically
23 provided, the term:

24 (11) "Family" means a minor child or children and
25 their parents or relatives with whom they reside.

26 Section 3. Subsection (12) is added to section
27 409.904, Florida Statutes, as amended by sections 1 and 2 of
28 chapter 2001-377, Laws of Florida, 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 (12) Families and individuals whose income levels are
7 at or below 133 percent of the federal poverty level. The
8 Agency for Health Care Administration shall amend the medical
9 assistance Title XIX state plan to provide medical assistance
10 coverage to families through expanded income disregards or
11 other methodologies for families whose income levels are at or
12 below 133 percent of the federal poverty level. In determining
13 eligibility, consideration of family assets must be consistent
14 with the requirements in s. 409.814. The Agency for Health
15 Care Administration shall submit to the United States
16 Department of Health and Human Services any necessary Title
17 XIX or Title XXI state plan amendments or waiver requests to
18 provide for medical assistance coverage to families and
19 individuals under this section and to maximize federal funds
20 for the provision of this coverage. This subsection is
21 repealed effective December 31, 2004.

22 Section 4. This act shall take effect upon becoming a
23 law.

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LEGISLATIVE SUMMARY

Expresses legislative intent to provide expanded access to health insurance for adults living in families whose income is at or below the federal poverty level and to access federal funds for this coverage. Requires the Agency for Health Care Administration to file amendments to the state plan and waiver requests with the U.S. Department of Health and Human Services. Authorizes the agency to make payments for medical assistance for families and individuals whose income is at or below 133 percent of the federal poverty level. Provides for future repeal.