

By Senator Silver

38-1159-02

1 A bill to be entitled
2 An act relating to children's health care;
3 amending s. 624.91, F.S.; revising duties of
4 the Florida Healthy Kids Corporation with
5 respect to annual determination of
6 participation in the Healthy Kids Program;
7 creating s. 624.915, F.S.; prescribing duties
8 of the corporation in establishing local match
9 requirements; providing an effective date.

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

Section 1. Subsection (1) and paragraph (b) of subsection (4) of section 624.91, Florida Statutes, are amended to read:

624.91 The Florida Healthy Kids Corporation Act.--

(1) SHORT TITLE.--Sections 624.91-624.915 ~~This section~~ may be cited as the "William G. 'Doc' Myers Healthy Kids Corporation Act."

(4) CORPORATION AUTHORIZATION, DUTIES, POWERS.--

(b) The Florida Healthy Kids Corporation shall phase in a program to:

1. Organize school children groups to facilitate the provision of comprehensive health insurance coverage to children;

2. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses;

1 3. Establish the administrative and accounting
2 procedures for the operation of the corporation;

3 4. Establish, with consultation from appropriate
4 professional organizations, standards for preventive health
5 services and providers and comprehensive insurance benefits
6 appropriate to children; provided that such standards for
7 rural areas shall not limit primary care providers to
8 board-certified pediatricians;

9 5. Establish eligibility criteria which children must
10 meet in order to participate in the program;

11 6. Establish procedures under which applicants to and
12 participants in the program may have grievances reviewed by an
13 impartial body and reported to the board of directors of the
14 corporation;

15 7. Establish participation criteria and, if
16 appropriate, contract with an authorized insurer, health
17 maintenance organization, or insurance administrator to
18 provide administrative services to the corporation;

19 8. Establish enrollment criteria which shall include
20 penalties or waiting periods of not fewer than 60 days for
21 reinstatement of coverage upon voluntary cancellation for
22 nonpayment of family premiums;

23 9. If a space is available, establish a special open
24 enrollment period of 30 days' duration for any child who is
25 enrolled in Medicaid or Medikids if such child loses Medicaid
26 or Medikids eligibility and becomes eligible for the Florida
27 Healthy Kids program;

28 10. Contract with authorized insurers or any provider
29 of health care services, meeting standards established by the
30 corporation, for the provision of comprehensive insurance
31 coverage to participants. Such standards shall include

1 criteria under which the corporation may contract with more
2 than one provider of health care services in program sites.
3 Health plans shall be selected through a competitive bid
4 process. The selection of health plans shall be based
5 primarily on quality criteria established by the board. The
6 health plan selection criteria and scoring system, and the
7 scoring results, shall be available upon request for
8 inspection after the bids have been awarded;

9 11. Develop and implement a plan to publicize the
10 Florida Healthy Kids Corporation, the eligibility requirements
11 of the program, and the procedures for enrollment in the
12 program and to maintain public awareness of the corporation
13 and the program;

14 12. Secure staff necessary to properly administer the
15 corporation. Staff costs shall be funded from state and local
16 matching funds and such other private or public funds as
17 become available. The board of directors shall determine the
18 number of staff members necessary to administer the
19 corporation;

20 13. As appropriate, enter into contracts with local
21 school boards or other agencies to provide onsite information,
22 enrollment, and other services necessary to the operation of
23 the corporation;

24 14. Provide a report on an annual basis to the
25 Governor, Insurance Commissioner, Commissioner of Education,
26 Senate President, Speaker of the House of Representatives, and
27 Minority Leaders of the Senate and the House of
28 Representatives;

29 15. Annually determine the local match requirements
30 for each county under the formulas and procedure provided in
31 s. 624.915 ~~Each fiscal year, establish a maximum number of~~

1 ~~participants by county, on a statewide basis, who may enroll~~
2 ~~in the program without the benefit of local matching funds.~~
3 ~~Thereafter, the corporation may establish local matching~~
4 ~~requirements for supplemental participation in the program.~~
5 ~~The corporation may vary local matching requirements and~~
6 ~~enrollment by county depending on factors which may influence~~
7 ~~the generation of local match, including, but not limited to,~~
8 ~~population density, per capita income, existing local tax~~
9 ~~effort, and other factors. The corporation also may accept~~
10 ~~in-kind match in lieu of cash for the local match requirement~~
11 ~~to the extent allowed by Title XXI of the Social Security Act;~~
12 and

13 16. Establish eligibility criteria, premium and
14 cost-sharing requirements, and benefit packages which conform
15 to the provisions of the Florida Kidcare program, as created
16 in ss. 409.810-409.820.

17 Section 2. Section 624.915, Florida Statutes, is
18 created to read:

19 624.915 Local match requirement.--

20 (1) By May 1st of each year, the Florida Healthy Kids
21 Corporation established in s. 624.91 shall determine the local
22 match requirement for each county and provide written
23 notification to each county of the amount to be remitted to
24 the corporation for the following fiscal year.

25 (a) The corporation shall first annually establish a
26 nonmatch enrollment allocation per county which does not
27 require any local matching funds. For the purpose of
28 determining the nonmatch enrollment allocation, each county
29 shall be assigned to one of three tiers based on the county's
30 population of children, using the most recently released
31 federal census data. Enrollment slots shall be allocated to

1 each tier; however, no county shall receive fewer than 500
2 slots. Enrollment slots shall not be reserved for any
3 particular county, and unused slots may be redistributed by
4 the corporation to accommodate increased enrollment in other
5 counties.

6 (b) The corporation shall then determine the county's
7 local match percentage rate. For the purpose of determining
8 the local match percentage rate, each county shall be assigned
9 to one of three tiers based on the county's economic census in
10 the year of the most recently released federal census data.
11 The local match percentage rate for the lowest tier shall be
12 greater than zero but not more than 5 percent, and it shall be
13 no greater than 15 percent for the highest tier.

14 (c) The corporation shall then calculate the local
15 match requirement for each county as the total annual
16 consideration paid by the corporation for the county's total
17 enrollee insurance premiums for the prior fiscal year, less
18 the value of the premiums for the county's nonmatch enrollment
19 for the same year, multiplied by the county's local match
20 percentage rate. The resulting local match requirement for
21 each county shall not be less than zero, but it may be no more
22 than the county paid in fiscal year 2000-2001.

23 (2) A county that disputes its tier assignment may
24 file a written grievance with the corporation for review by
25 the corporation's board of directors. The board's decision
26 shall be final and not subject to further review.

27 (3) The corporation's board of directors shall
28 determine the timing and method for payment of the required
29 local match to the corporation. For purposes of meeting the
30 local match requirement, at least 90 percent of the county's
31 local match requirement must be eligible to match federal

1 Title XXI funds. Local matching funds must be in the form of
2 cash. In-kind contributions will not be accepted for purposes
3 of being in compliance with a county's local match
4 requirement.

5 (4) The corporation shall notify the Senate President,
6 the Speaker of the House of Representatives, the Governor, and
7 the Department of Banking and Finance of any county not
8 meeting its local match requirement. The Department of Banking
9 and Finance shall withhold from cigarette tax receipts or any
10 other funds to be distributed to counties an amount equal to
11 the county's local match share that has not been remitted
12 within 60 days after billing and forward such amount to the
13 corporation.

14 Section 3. This act shall take effect upon becoming a
15 law.

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18 SENATE SUMMARY

19 Prescribes duties of the Florida Healthy Kids Corporation
20 in annually establishing local match requirements for
21 county participation in the Healthy Kids program.
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