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2 An act relating to the medically needy program;
3 amending s. 409.904, F.S.; postponing the
4 effective date of changes to standards for
5 eligibility for certain optional medical
6 assistance, including coverage under the
7 medically needy program; providing
8 appropriations; providing for retroactive
9 application; providing an effective date.

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

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13 Section 1. Subsection (2) of section 409.904, Florida
14 Statutes, is amended to read:15 409.904 Optional payments for eligible persons.--The
16 agency may make payments for medical assistance and related
17 services on behalf of the following persons who are determined
18 to be eligible subject to the income, assets, and categorical
19 eligibility tests set forth in federal and state law. Payment
20 on behalf of these Medicaid eligible persons is subject to the
21 availability of moneys and any limitations established by the
22 General Appropriations Act or chapter 216.23 (2) A caretaker relative or parent, a pregnant woman,
24 a child under age 19 who would otherwise qualify for Florida
25 Kidcare Medicaid, a child up to age 21 who would otherwise
26 qualify under s. 409.903(1), a person age 65 or over, or a
27 blind or disabled person, who would otherwise be eligible for
28 Florida Medicaid, except that the income or assets of such
29 family or person exceed established limitations. For a family
30 or person in one of these coverage groups, medical expenses
31 are deductible from income in accordance with federal

1 requirements in order to make a determination of eligibility.
2 Expenses used to meet spend-down liability are not
3 reimbursable by Medicaid. Effective July ~~May~~ 1, 2003, when
4 determining the eligibility of a pregnant woman, a child, or
5 an aged, blind, or disabled individual, \$270 shall be deducted
6 from the countable income of the filing unit. When determining
7 the eligibility of the parent or caretaker relative as defined
8 by Title XIX of the Social Security Act, the additional income
9 disregard of \$270 does not apply. A family or person eligible
10 under the coverage known as the "medically needy," is eligible
11 to receive the same services as other Medicaid recipients,
12 with the exception of services in skilled nursing facilities
13 and intermediate care facilities for the developmentally
14 disabled.

15 Section 2. The non-recurring sums of \$8,265,777 from
16 the General Revenue Fund, \$2,505,224 from the Grants and
17 Donations Trust Fund, and \$11,727,287 from the Medical Care
18 Trust Fund are appropriated to the Agency for Health Care
19 Administration to implement section 1 of this act during the
20 2002-2003 fiscal year.

21 Section 3. This act shall take effect upon becoming a
22 law, but if it becomes a law after May 1, 2003, this act shall
23 operate retroactively to that date.

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