



HB 0041A

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A bill to be entitled
An act relating to the medically needy; amending s.
409.904, F.S.; revising standards for eligibility for
certain optional medical assistance; providing for
construction of the act in pari materia with laws enacted
during the Regular Session of the Legislature; providing
an effective date.

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

Section 1. Subsections (1) and (2) of section 409.904,
Florida Statutes, are amended to read:

409.904 Optional payments for eligible persons.--The
agency may make payments for medical assistance and related
services on behalf of the following persons who are determined
to be eligible subject to the income, assets, and categorical
eligibility tests set forth in federal and state law. Payment on
behalf of these Medicaid eligible persons is subject to the
availability of moneys and any limitations established by the
General Appropriations Act or chapter 216.

(1) A person who is age 65 or older or is determined to be
disabled, whose income is at or below 100 ~~88~~ percent of federal
poverty level, and whose assets do not exceed established
limitations.

(2) A family caretaker ~~relative or parent~~, a pregnant
woman, a child under age 18 ~~19~~ ~~who would otherwise qualify for~~
~~Florida Kidcare Medicaid~~, a child up to age ~~21~~ ~~who would~~
~~otherwise qualify under s. 409.903(1)~~, a person age 65 or over,
or a blind or disabled person, who would ~~otherwise~~ be eligible
under any group listed in s. 409.903(1), (2), or (3) for Florida



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31 Medicaid, except that the income or assets of such family or
32 person exceed established limitations.

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34 For a family or person in one of these coverage groups, medical
35 expenses are deductible from income in accordance with federal
36 requirements in order to make a determination of eligibility.

37 ~~Expenses used to meet spend-down liability are not reimbursable
38 by Medicaid. Effective May 1, 2003, when determining the~~

39 ~~eligibility of a pregnant woman, a child, or an aged, blind, or~~

40 ~~disabled individual, \$270 shall be deducted from the countable~~

41 ~~income of the filing unit. When determining the eligibility of~~

42 ~~the parent or caretaker relative as defined by Title XIX of the~~

43 ~~Social Security Act, the additional income disregard of \$270~~

44 ~~does not apply.~~ A family or person eligible under the coverage

45 known as the "medically needy," is eligible to receive the same

46 services as other Medicaid recipients, with the exception of

47 services in skilled nursing facilities and intermediate care

48 facilities for the developmentally disabled.

49 Section 2. If any law amended by this act was also amended

50 by a law enacted at the 2003 Regular Session of the Legislature,

51 such laws shall be construed as if they had been enacted at the

52 same session of the Legislature, and full effect shall be given

53 to each if possible.

54 Section 3. This act shall take effect July 1, 2003.