

Bill No. CS for SB 2000

Amendment No. ____ Barcode 570386

CHAMBER ACTION

Senate

House

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Senators Peaden and Dockery moved the following amendment:

Senate Amendment (with title amendment)

On page 15, line 5, through
page 20, line 21, delete those lines

and insert:

Section 8. Subsections (3) through (7) of section
624.91, Florida Statutes, are renumbered as subsections (4)
through (8), respectively, present subsections (2) and (4) of
that section are amended, and a new subsection (3) is added to
that section, to read:

624.91 The Florida Healthy Kids Corporation Act.--

(2) LEGISLATIVE INTENT.--

(a) The Legislature finds that increased access to
health care services could improve children's health and
reduce the incidence and costs of childhood illness and
disabilities among children in this state. Many children do
not have comprehensive, affordable health care services
available. It is the intent of the Legislature that the
Florida Healthy Kids Corporation provide comprehensive health

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1 insurance coverage to such children. The corporation is
2 encouraged to cooperate with any existing health service
3 programs funded by the public or the private sector ~~and to~~
4 ~~work cooperatively with the Florida Partnership for School~~
5 ~~Readiness.~~

6 (b) It is the intent of the Legislature that the
7 Florida Healthy Kids Corporation serve as one of several
8 providers of services to children eligible for medical
9 assistance under Title XXI of the Social Security Act.
10 Although the corporation may serve other children, the
11 Legislature intends the primary recipients of services
12 provided through the corporation be school-age children with a
13 family income below 200 percent of the federal poverty level,
14 who do not qualify for Medicaid. It is also the intent of the
15 Legislature that state and local government Florida Healthy
16 Kids funds be used to continue ~~and expand~~ coverage, subject to
17 specific appropriations in the General Appropriations Act, to
18 children not eligible for federal matching funds under Title
19 XXI.

20 (3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.--Only the
21 following individuals are eligible for state-funded assistance
22 in paying Florida Healthy Kids premiums:

23 (a) Residents of this state who are eligible for the
24 Florida KidCare program pursuant to s. 409.814.

25 (b) Notwithstanding s. 409.814, legal aliens who are
26 enrolled in the Florida Healthy Kids program as of January 31,
27 2004, who do not qualify for Title XXI federal funds because
28 they are not qualified aliens as defined in s. 409.811.

29 (c) Notwithstanding s. 409.814, individuals who have
30 attained the age of 19 as of March 31, 2004, who were
31 receiving Florida Healthy Kids benefits prior to the enactment

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1 of the Florida KidCare program. This paragraph shall be
 2 repealed March 31, 2005.

3 (d) Notwithstanding s. 409.814, state employee
 4 dependents who were enrolled in the Florida Healthy Kids
 5 program as of January 31, 2004. Such individuals shall remain
 6 eligible until January 1, 2005.

7 ~~(5)(4)~~ CORPORATION AUTHORIZATION, DUTIES, POWERS.--

8 (a) There is created the Florida Healthy Kids
 9 Corporation, a not-for-profit corporation.

10 (b) The Florida Healthy Kids Corporation shall:

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

16 2. Arrange for the collection of any voluntary contributions
 17 to provide for payment of premiums for children who are not
 18 eligible for medical assistance under Title XXI of the Social
 19 Security Act. Each fiscal year, the corporation shall
 20 establish a local match policy for the enrollment of
 21 non-Title-XXI-eligible children in the Healthy Kids program.

22 By May 1 of each year, the corporation shall provide written
 23 notification of the amount to be remitted to the corporation
 24 for the following fiscal year under that policy. Local match
 25 sources may include, but are not limited to, funds provided by
 26 municipalities, counties, school boards, hospitals, health
 27 care providers, charitable organizations, special taxing
 28 districts, and private organizations. The minimum local match
 29 cash contributions required each fiscal year and local match
 30 credits shall be determined by the General Appropriations Act.

31 The corporation shall calculate a county's local match rate

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1 based upon that county's percentage of the state's total
2 non-Title-XXI expenditures as reported in the corporation's
3 most recently audited financial statement. In awarding the
4 local match credits, the corporation may consider factors
5 including, but not limited to, population density, per capita
6 income, and existing child-health-related expenditures and
7 services.†

8 3. Subject to the provisions of s. 409.8134, accept
9 voluntary supplemental local match contributions that comply
10 with the requirements of Title XXI of the Social Security Act
11 for the purpose of providing additional coverage in
12 contributing counties under Title XXI.†

13 4. Establish the administrative and accounting
14 procedures for the operation of the corporation.†

15 5. Establish, with consultation from appropriate
16 professional organizations, standards for preventive health
17 services and providers and comprehensive insurance benefits
18 appropriate to children,† provided that such standards for
19 rural areas shall not limit primary care providers to
20 board-certified pediatricians.†

21 6. Determine ~~Establish~~ eligibility for ~~criteria which~~
22 children seeking ~~must meet in order~~ to participate in the
23 Title XXI-funded components of the Florida KidCare program
24 consistent with the requirements specified in s. 409.814, as
25 well as the non-Title-XXI-eligible children as provided in
26 subsection (3).†

27 7. Establish procedures under which providers of local
28 match to, applicants to and participants in the program may
29 have grievances reviewed by an impartial body and reported to
30 the board of directors of the corporation.†

31 8. Establish participation criteria and, if

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1 appropriate, contract with an authorized insurer, health
 2 maintenance organization, or third-party insurance
 3 administrator to provide administrative services to the
 4 corporation.~~†~~

5 9. Establish enrollment criteria which shall include
 6 penalties or waiting periods of not fewer than 60 days for
 7 reinstatement of coverage upon voluntary cancellation for
 8 nonpayment of family premiums.~~†~~

9 ~~10. If a space is available, establish a special open~~
 10 ~~enrollment period of 30 days' duration for any child who is~~
 11 ~~enrolled in Medicaid or Medikids if such child loses Medicaid~~
 12 ~~or Medikids eligibility and becomes eligible for the Florida~~
 13 ~~Healthy Kids program.~~†~~~~

14 10.11. Contract with authorized insurers or any
 15 provider of health care services, meeting standards
 16 established by the corporation, for the provision of
 17 comprehensive insurance coverage to participants. Such
 18 standards shall include criteria under which the corporation
 19 may contract with more than one provider of health care
 20 services in program sites. Health plans shall be selected
 21 through a competitive bid process. The Florida Healthy Kids
 22 Corporation shall purchase goods and services in the most
 23 cost-effective manner consistent with the delivery of quality
 24 medical care. The maximum administrative cost for a Florida
 25 Healthy Kids Corporation contract shall be 15 percent. The
 26 minimum medical loss ratio for a Florida Healthy Kids
 27 Corporation contract shall be 85 percent. ~~The selection of~~
 28 ~~health plans shall be based primarily on quality criteria~~
 29 ~~established by the board.~~ The health plan selection criteria
 30 and scoring system, and the scoring results, shall be
 31 available upon request for inspection after the bids have been

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1 awarded.[†]

2 ~~11.12.~~ Establish disenrollment criteria in the event
3 local matching funds are insufficient to cover enrollments.[†]

4 ~~12.13.~~ Develop and implement a plan to publicize the
5 Florida Healthy Kids Corporation, the eligibility requirements
6 of the program, and the procedures for enrollment in the
7 program and to maintain public awareness of the corporation
8 and the program.[†]

9 ~~13.14.~~ Secure staff necessary to properly administer
10 the corporation. Staff costs shall be funded from state and
11 local matching funds and such other private or public funds as
12 become available. The board of directors shall determine the
13 number of staff members necessary to administer the
14 corporation.[†]

15 ~~15. As appropriate, enter into contracts with local~~
16 ~~school boards or other agencies to provide onsite information,~~
17 ~~enrollment, and other services necessary to the operation of~~
18 ~~the corporation;~~

19 ~~14.16.~~ Provide a report annually to the Governor,
20 Chief Financial Officer, Commissioner of Education, Senate
21 President, Speaker of the House of Representatives, and
22 Minority Leaders of the Senate and the House of
23 Representatives.[†]

24 ~~17. Each fiscal year, establish a maximum number of~~
25 ~~participants, on a statewide basis, who may enroll in the~~
26 ~~program; and~~

27 ~~15.18.~~ Establish ~~eligibility criteria, premium and~~
28 ~~cost-sharing requirements, and~~ benefit packages which conform
29 to the provisions of the Florida KidCare ~~Kidcare~~ program, as
30 created in ss. 409.810-409.820.

31 (c) Coverage under the corporation's program is

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1 secondary to any other available private coverage held by, or
 2 applicable to, the participant child or family member.
 3 Insurers under contract with the corporation are the payors of
 4 last resort and must coordinate benefits with any other
 5 third-party payor that may be liable for the participant's
 6 medical care ~~The corporation may establish procedures for~~
 7 ~~coordinating benefits under this program with benefits under~~
 8 ~~other public and private coverage.~~

9 (d) The Florida Healthy Kids Corporation shall be a
 10 private corporation not for profit, organized pursuant to
 11 chapter 617, and shall have all powers necessary to carry out
 12 the purposes of this act, including, but not limited to, the
 13 power to receive and accept grants, loans, or advances of
 14 funds from any public or private agency and to receive and
 15 accept from any source contributions of money, property,
 16 labor, or any other thing of value, to be held, used, and
 17 applied for the purposes of this act.

18
 19 (Redesignate subsequent sections.)
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 21

22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 2, lines 8-13, delete those lines

25
 26 and insert:

27 amending s. 624.91, F.S.; removing the
 28 requirement for the Florida Healthy Kids
 29 Corporation to work with the Florida
 30 Partnership for School Readiness; limiting
 31 eligibility for state-funded assistance in

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1 paying Florida Healthy Kids premiums; providing
2 for future repeal of certain provisions;
3 providing additional criteria for the
4 corporation to determine eligibility;
5 eliminating authority to establish an open
6 enrollment period; revising the corporation's
7 purchasing criteria; removing a restriction;
8 eliminating authority to contract with certain
9 entities; eliminating authority to establish a
10 maximum number of participants; eliminating
11 authority to establish eligibility criteria or
12 premium and cost-sharing requirements;
13 providing that contracted insurers are the
14 payors of last resort; requiring contracted
15 insurers to coordinate benefits with certain
16 payors; requiring the

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