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1 A bill to be entitled

2 An act relating to the aging resource center; amending s.
3 430.205, F.S.; revising the development requirements of
4 the community care service system; requiring the
5 Department of Elderly Affairs to provide for transitioning
6 certain elder services to a certain long-term care
7 delivery system under the direction of an aging resource
8 center; providing that the center shall be the entry point
9 for service for certain persons; providing for staffing of
10 the center; providing duties and responsibilities of the
11 center; establishing administrative oversight with the
12 department; requiring the department to establish quality
13 assurance standards and outcome measures; requiring the
14 department to ensure screening and enrollment of certain
15 persons at such centers; providing a screening and
16 enrollment process; specifying programs and services
17 offered at centers; limiting payments for services for
18 certain persons; revising administration of the model
19 program; requiring the department to publicize certain
20 model system benefits to the statewide elder services
21 network; requiring proposals to be submitted for
22 transition; providing that the department may set a
23 deadline for such proposals; requiring the department to
24 review all proposals and select the areas to designate as
25 model areas; providing criteria; redistributing duties and
26 responsibilities to the aging resource center; deleting
27 certain model area requirements; providing duties and
28 responsibilities of service providers; providing for
29 elective development of capitation rates; removing certain

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30 restrictions; removing authority to develop risk-sharing
 31 agreements; deleting requirement to seek federal waivers;
 32 deleting requirement to develop an eligibility system;
 33 deleting requirement to outstation certain nursing home
 34 staff; extending the date for submitting an evaluation;
 35 revising the contents of said evaluation; providing for
 36 possible expansion of the program; providing an effective
 37 date.

38

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

40

41 Section 1. Subsection (6) of section 430.205, Florida
 42 Statutes, is amended to read:

43 430.205 Community care service system.--

44 (6) Notwithstanding other requirements of this chapter,
 45 the department of ~~Elderly Affairs and the Agency for Health Care~~
 46 ~~Administration~~ shall develop a model system to transition all
 47 state-funded services for elderly individuals in model ~~one of~~
 48 ~~the department's planning and service areas~~ to a managed,
 49 integrated long-term-care delivery system under the direction of
 50 a single aging resource center in each area. The Agency for
 51 Health Care Administration shall assist the department in
 52 developing the model system described in this subsection ~~entity.~~

53 (a) The aging resource center shall act as the single
 54 point of entry for all persons age 60 and older in each
 55 designated area who are seeking the services listed in paragraph
 56 (b). The aging resource center shall integrate the staff of the
 57 department's local CARES Medicaid nursing home preadmission
 58 screening unit, a sufficient number of staff from the Department

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59 of Children and Family Services Economic Self-Sufficiency
60 Services Program Office necessary to determine the financial
61 eligibility for all persons age 60 and older seeking Medicaid
62 services in each designated area, and the staff of the local
63 area agency on aging. The duties and responsibilities of the
64 aging resource center shall be to:

65 1. Provide an initial screening of each client who
66 requests services through the aging resource center to determine
67 whether the person would be most appropriately served through
68 federally funded programs, state-funded programs, or locally
69 funded or community volunteer programs, or by privately paying
70 for the services.

71 2. Provide information and referral services for community
72 resources and state-funded long-term-care programs.

73 3. Develop strong community partnerships necessary to
74 ensure that elders seeking assistance will receive services that
75 meet their needs with the least amount of strain and confusion
76 possible.

77 4. Develop referral agreements with local community
78 service organizations, such as senior centers, to better assist
79 clients who do not need, or do not wish to enroll in, state-
80 funded long-term-care programs.

81 5. Determine eligibility for the programs and services
82 listed in paragraph (b).

83 6. Manage the availability of financial resources for the
84 programs and services listed in paragraph (b).

85 7. When appropriate, negotiate contracts with providers to
86 provide the services that are administered through the aging
87 resource center.

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88 8. When financial resources become available, refer a
 89 client to the most appropriate entity to begin receiving
 90 services.

91
 92 The department shall retain ultimate administrative oversight
 93 over the operations of all aging resource centers it authorizes.

94 The department shall, by rule or through contracts, develop
 95 quality assurance standards and outcome measures to ensure that
 96 clients receiving services through all model systems are
 97 receiving the appropriate care and that contractors and
 98 subcontractors are adhering to the terms of their contracts and
 99 are acting in the best interests of the clients they are serving

100 ~~The duties of the model system shall include organizing and~~
 101 ~~administering service delivery for the elderly, obtaining~~
 102 ~~contracts for services with providers in the area, monitoring~~
 103 ~~the quality of services provided, determining levels of need and~~
 104 ~~disability for payment purposes, and other activities determined~~
 105 ~~by the department and the agency in order to operate the model~~
 106 ~~system.~~

107 (b) The department shall ensure that all persons age 60
 108 and older who receive the services listed in this paragraph in
 109 each model area are screened and enrolled through the aging
 110 resource center. The programs and services to be administered
 111 through the aging resource center ~~The agency and the department~~
 112 ~~shall integrate all funding for services to individuals over the~~
 113 ~~age of 65 in the model planning and service areas into a single~~
 114 ~~per person per month payment rate, except that funds for~~
 115 ~~Medicaid behavioral health care services are exempt from this~~
 116 ~~section. The funds to be integrated shall include:~~

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- 117 1. ~~Community-care-for-the-elderly services. funds;~~
- 118 2. ~~Home-care-for-the-elderly services. funds;~~
- 119 3. ~~Local services programs. program funds;~~
- 120 4. Aged and Disabled Adult Medicaid waiver services.
- 121 ~~Contracted services funds;~~
- 122 5. Assisted Living for the Elderly Medicaid waiver
- 123 services. ~~Alzheimer's disease initiative funds;~~
- 124 6. Older Americans Act services. ~~Medicaid home and~~
- 125 ~~community-based waiver services funds;~~
- 126 7. ~~Funds for all Medicaid services authorized in ss.~~
- 127 ~~409.905 and 409.906, including Medicaid nursing home services;~~
- 128 ~~and~~
- 129 8. ~~Funds paid for Medicare premiums, coinsurance and~~
- 130 ~~deductibles for persons dually eligible for Medicaid and~~
- 131 ~~Medicare as prescribed in s. 409.908(13).~~

132

133 The department and the agency shall not make payments for the

134 above-listed services for persons residing in a model area

135 ~~services for people age 65 and older~~ except through the model

136 delivery system.

137 ~~(c) The entity selected to administer the model system~~

138 ~~shall develop a comprehensive health and long-term care service~~

139 ~~delivery system through contracts with providers of medical,~~

140 ~~social, and long-term care services sufficient to meet the needs~~

141 ~~of the population age 65 and older. The entity selected to~~

142 ~~administer the model system shall not directly provide services~~

143 ~~other than intake, assessment, and referral services.~~

144 (c)(d) The department shall publicize the benefits of the

145 model delivery system to the statewide elder services network.

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146 Those local areas that wish to transition to the model delivery
 147 system shall submit a proposal to the department requesting
 148 approval for such a transition. The department may set the
 149 deadline by which a proposal must be submitted for
 150 consideration; however, the deadline may not extend beyond
 151 January 1, 2005 ~~The department shall determine which of the~~
 152 ~~department's planning and services areas is to be designated as~~
 153 ~~a model area by means of a request for proposals. The department~~
 154 ~~shall review all submitted proposals and shall select the an~~
 155 ~~area or areas to be designated as a model area and the entity to~~
 156 ~~administer the model system based on demonstration of capacity~~
 157 ~~of the local area agency on aging to effectively assist an aging~~
 158 ~~resource center to perform the functions described in paragraph~~
 159 ~~(a), as well as the ability of the service providers within the~~
 160 ~~designated area to perform the functions described in paragraph~~
 161 ~~(d). the entity to:~~

162 ~~1. Develop contracts with providers currently under~~
 163 ~~contract with the department, area agencies on aging, or~~
 164 ~~community care for the elderly lead agencies;~~

165 ~~2. Provide a comprehensive system of appropriate medical~~
 166 ~~and long-term care services that provides high-quality medical~~
 167 ~~and social services to assist older individuals in remaining in~~
 168 ~~the least restrictive setting;~~

169 ~~3. Demonstrate a quality assurance and quality improvement~~
 170 ~~system satisfactory to the department and the agency;~~

171 ~~4. Develop a system to identify participants who have~~
 172 ~~special health care needs such as polypharmacy, mental health~~
 173 ~~and substance abuse problems, falls, chronic pain, nutritional~~

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174 ~~deficits, and cognitive deficits, in order to respond to and~~
 175 ~~meet these needs;~~

176 ~~5. Use a multidisciplinary team approach to participant~~
 177 ~~management which ensures that information is shared among~~
 178 ~~providers responsible for delivering care to a participant;~~

179 ~~6. Ensure medical oversight of care plans and service~~
 180 ~~delivery, regular medical evaluation of care plans, and the~~
 181 ~~availability of medical consultation for case managers and~~
 182 ~~service coordinators;~~

183 ~~7. Develop, monitor, and enforce quality of care~~
 184 ~~requirements;~~

185 ~~8. Secure subcontracts with providers of medical, nursing~~
 186 ~~home, and community based long term care services sufficient to~~
 187 ~~assure access to and choice of providers;~~

188 ~~9. Ensure a system of case management and service~~
 189 ~~coordination which includes educational and training standards~~
 190 ~~for case managers and service coordinators;~~

191 ~~10. Develop a business plan that considers the ability of~~
 192 ~~the applicant to organize and operate a risk bearing entity;~~

193 ~~11. Furnish evidence of adequate liability insurance~~
 194 ~~coverage or an adequate plan of self insurance to respond to~~
 195 ~~claims for injuries arising out of the furnishing of health~~
 196 ~~care; and~~

197 ~~12. Provide, through contract or otherwise, for periodic~~
 198 ~~review of its medical facilities as required by the department~~
 199 ~~and the agency.~~

200
 201 ~~The department shall give preference in selecting an area to be~~
 202 ~~designated as a model area to that in which the administering~~

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203 ~~entity is an existing area agency on aging or community care~~
 204 ~~for the elderly lead agency demonstrating the ability to perform~~
 205 ~~the functions described in this paragraph.~~

206 (d) The duties and responsibilities of the service
 207 providers within each model area shall be to:

208 1. Develop strong community partnerships necessary to
 209 ensure that elders seeking assistance will receive services that
 210 meet their needs with the least amount of strain and confusion
 211 possible.

212 2. Conduct comprehensive assessments of clients that have
 213 been determined eligible and develop a care plan to ensure that
 214 the unique needs of each client are met.

215 3. Coordinate or provide the services listed in paragraph
 216 (b).

217 ~~(e) The department in consultation with the selected~~
 218 ~~entity shall develop a statewide proposal regarding the long-~~
 219 ~~term use and structure of a program that addresses a risk pool~~
 220 ~~to reduce financial risk.~~

221 (e)(f) Prior to implementation of the project, the
 222 department and the agency are encouraged to shall develop
 223 capitation rates for service packages based on the historical
 224 cost experience of the state in providing the services listed in
 225 paragraph (b) to the population age 60 or older in each model
 226 area and to pay the service providers the capitation rate for
 227 service packages when appropriate. The department and the agency
 228 may develop capitation rates for each program administered by
 229 the aging resource center and may develop a capitation rate for
 230 case management services that is separate from the capitation
 231 rate for the direct service packages. Each capitation rate may

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232 ~~vary between counties or model areas acute and long-term care~~
 233 ~~services to the population over 65 years of age in the area~~
 234 ~~served.~~

235 ~~1. Payment rates in the first 2 years of operation shall~~
 236 ~~be set at no more than 100 percent of the costs to the state of~~
 237 ~~providing equivalent services to the population of the model~~
 238 ~~area for the year prior to the year in which the model system is~~
 239 ~~implemented, adjusted forward to account for inflation and~~
 240 ~~population growth. In subsequent years, the rate shall be~~
 241 ~~negotiated~~ Capitation rates for service packages that are not
 242 developed prior to implementation of the model delivery system
 243 should be negotiated in future years based on the cost
 244 experience of the model system in providing the contracted
 245 services, but may not exceed 95 percent of the amount that would
 246 have been paid by the state for those same services in each
 247 model area in the model planning and service area absent the
 248 model integrated service delivery system.

249 ~~2. The agency and the department may develop innovative~~
 250 ~~risk-sharing agreements that limit the level of custodial~~
 251 ~~nursing home risk that the administering entity assumes,~~
 252 ~~consistent with the intent of the Legislature to reduce the use~~
 253 ~~and cost of nursing home care. Under risk-sharing arrangements,~~
 254 ~~the agency and the department may reimburse the administering~~
 255 ~~entity for the cost of providing nursing home care for Medicaid-~~
 256 ~~eligible participants who have been permanently placed and~~
 257 ~~remain in nursing home care for more than 1 year.~~

258 ~~(g) The department and the Agency for Health Care~~
 259 ~~Administration shall seek federal waivers necessary to implement~~
 260 ~~the requirements of this section.~~

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261 ~~(h) The Department of Children and Family Services shall~~
262 ~~develop a streamlined and simplified eligibility system and~~
263 ~~shall outstation a sufficient number and quality of eligibility-~~
264 ~~determination staff with the administering entity to assure~~
265 ~~determination of Medicaid eligibility for the integrated service~~
266 ~~delivery system in the model planning and service area within 10~~
267 ~~days after receipt of a complete application.~~

268 ~~(i) The Department of Elderly Affairs shall make~~
269 ~~arrangements to outstation a sufficient number of nursing home~~
270 ~~preadmission screening staff with the administering entity to~~
271 ~~assure timely assessment of level of need for long-term care~~
272 ~~services in the model area.~~

273 (f)(j) The department of ~~Elderly Affairs~~ shall conduct or
274 contract for an evaluation of the model delivery system pilot
275 project. The department shall submit the evaluation to the
276 Governor, the President of the Senate, and the Speaker of the
277 House of Representatives the Legislature by January 1, 2006
278 2005. The evaluation must address the effectiveness of each
279 aging resource center and the agencies with which it contracts
280 in effects of the pilot project on the effectiveness of the
281 entity providing a comprehensive system of appropriate and high-
282 quality managed, integrated medical and long-term-care services
283 to elders in each model area in the least restrictive setting
284 and in the most cost-effective manner possible. If the
285 evaluation determines that the model delivery system was
286 successful in meeting its stated goals, the evaluation must
287 include, or be accompanied by, a plan to expand the model
288 delivery system to include additional long-term-care services,
289 as well as to expand the model delivery system to other areas of

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290 the state that may benefit from such a system. The plan must
 291 address the feasibility of integrating the following services
 292 into the model system beginning July 1, 2006: make
 293 ~~recommendations on a phased-in implementation expansion for the~~
 294 ~~rest of the state.~~

- 295 1. Contracted services.
- 296 2. Alzheimer's disease initiative services.
- 297 3. Long-term-care community diversion project services.
- 298 4. Medicaid nursing home services.
- 299 5. Medicaid transportation services.
- 300 6. Medicaid hospice care services.
- 301 7. Medicaid intermediate care services.
- 302 8. Medicaid prescribed drug services.
- 303 9. Medicaid assistive care services.

304
 305 The plan must also address the appropriateness of integrating
 306 the state's various Medicaid waivers into fewer programs that
 307 serve a broader population of elders.

308 Section 2. This act shall take effect July 1, 2004.