

By the Committee on Health Care; and Senator Garcia

587-1967-05

1 A bill to be entitled
2 An act relating to Medicaid; amending s.
3 409.906, F.S.; authorizing the Agency for
4 Health Care Administration to pay for certain
5 visual services prescribed to Medicaid
6 recipients regardless of age; amending s.
7 409.907, F.S.; requiring a hospital that is
8 licensed in this state and is owned in whole or
9 in part by a municipality or county to collect
10 specified information when purchasing or
11 contracting for medical supplies from a vendor;
12 requiring the hospital to exercise a
13 contracting preference for vendors that use the
14 greater number of employees residing in this
15 state under certain circumstances; providing an
16 effective date.

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

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20 Section 1. Subsection (23) of section 409.906, Florida
21 Statutes, is amended to read:

22 409.906 Optional Medicaid services.--Subject to
23 specific appropriations, the agency may make payments for
24 services which are optional to the state under Title XIX of
25 the Social Security Act and are furnished by Medicaid
26 providers to recipients who are determined to be eligible on
27 the dates on which the services were provided. Any optional
28 service that is provided shall be provided only when medically
29 necessary and in accordance with state and federal law.
30 Optional services rendered by providers in mobile units to
31 Medicaid recipients may be restricted or prohibited by the

1 agency. Nothing in this section shall be construed to prevent
2 or limit the agency from adjusting fees, reimbursement rates,
3 lengths of stay, number of visits, or number of services, or
4 making any other adjustments necessary to comply with the
5 availability of moneys and any limitations or directions
6 provided for in the General Appropriations Act or chapter 216.
7 If necessary to safeguard the state's systems of providing
8 services to elderly and disabled persons and subject to the
9 notice and review provisions of s. 216.177, the Governor may
10 direct the Agency for Health Care Administration to amend the
11 Medicaid state plan to delete the optional Medicaid service
12 known as "Intermediate Care Facilities for the Developmentally
13 Disabled." Optional services may include:

14 (23) ~~CHILDREN'S~~ VISUAL SERVICES.--The agency may pay
15 for visual examinations, eyeglasses, and eyeglass repairs for
16 a recipient ~~younger than 21 years of age~~, if they are
17 prescribed by a licensed physician specializing in diseases of
18 the eye or by a licensed optometrist.

19 Section 2. Paragraph (k) is added to subsection (3) of
20 section 409.907, Florida Statutes, to read:

21 409.907 Medicaid provider agreements.--The agency may
22 make payments for medical assistance and related services
23 rendered to Medicaid recipients only to an individual or
24 entity who has a provider agreement in effect with the agency,
25 who is performing services or supplying goods in accordance
26 with federal, state, and local law, and who agrees that no
27 person shall, on the grounds of handicap, race, color, or
28 national origin, or for any other reason, be subjected to
29 discrimination under any program or activity for which the
30 provider receives payment from the agency.

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1 (3) The provider agreement developed by the agency, in
2 addition to the requirements specified in subsections (1) and
3 (2), shall require the provider to:

4 (k) If a hospital is licensed under chapter 395 and
5 its facilities are owned in whole or in part by a municipality
6 or county, affirm that:

7 1. The hospital has established bidding procedures
8 when purchasing or contracting for medical supplies to
9 ascertain for each considered vendor the approximate number of
10 full-time employees located in this state, whether the vendor
11 maintains its corporate books and records in this state,
12 whether the vendor agrees to provide access voluntarily to
13 appropriate regulatory agencies to its books and records
14 related to Medicaid, and whether the account will be primarily
15 serviced by Florida employees; and

16 2. When cost, quality, and service are not
17 significantly different, the hospital shall exercise a
18 contracting preference for vendors that use the greater number
19 of employees residing in this state in the operation and
20 servicing of the vendor's business for the hospital and for
21 those vendors that also provide voluntary access in this state
22 to appropriate regulatory agencies to records related to
23 Medicaid.

24 Section 3. This act shall take effect July 1, 2005.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1994

The committee substitute requires hospitals licensed in the state and owned in whole or part by a municipality or county to collect specified information when purchasing or contracting for medical supplies from a vendor and requires the hospital to exercise a contracting preference for vendors that use the greatest number of employees residing in this state under certain circumstances.