By the Committee on Health Care; and Senator Rich

587-1648-05

A bill to be entitled 2 An act relating to developmental disabilities; amending s. 409.912, F.S.; requiring the Agency 3 4 for Health Care Administration to develop a 5 model waiver program to serve children with 6 specified disorders; requiring the agency to 7 seek federal waiver approval and implement the 8 approved waiver subject to availability of funds and certain limitations; authorizing 9 rules; providing an effective date. 10 11 12 Be It Enacted by the Legislature of the State of Florida: 13 Section 1. Subsection (50) is added to section 14 409.912, Florida Statutes, to read: 15 409.912 Cost-effective purchasing of health care. -- The 16 17 agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with 18 the delivery of quality medical care. To ensure that medical 19 services are effectively utilized, the agency may, in any 20 case, require a confirmation or second physician's opinion of 2.1 22 the correct diagnosis for purposes of authorizing future 23 services under the Medicaid program. This section does not restrict access to emergency services or poststabilization 2.4 care services as defined in 42 C.F.R. part 438.114. Such 25 confirmation or second opinion shall be rendered in a manner 26 approved by the agency. The agency shall maximize the use of 27 2.8 prepaid per capita and prepaid aggregate fixed-sum basis 29 services when appropriate and other alternative service delivery and reimbursement methodologies, including 30 competitive bidding pursuant to s. 287.057, designed to

facilitate the cost-effective purchase of a case-managed 2 continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute 3 inpatient, custodial, and other institutional care and the 4 inappropriate or unnecessary use of high-cost services. The 5 6 agency may mandate prior authorization, drug therapy 7 management, or disease management participation for certain 8 populations of Medicaid beneficiaries, certain drug classes, 9 or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and 10 Therapeutics Committee shall make recommendations to the 11 12 agency on drugs for which prior authorization is required. The 13 agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior 14 authorization. The agency is authorized to limit the entities 15 it contracts with or enrolls as Medicaid providers by 16 17 developing a provider network through provider credentialing. 18 The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider 19 quality standards, time and distance standards for access to 20 21 care, the cultural competence of the provider network, 22 demographic characteristics of Medicaid beneficiaries, 23 practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, 2.4 25 provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, 26 27 provider Medicaid policy and billing compliance records, 2.8 clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid 29 provider network. The agency is authorized to seek federal 30 waivers necessary to implement this policy.

1	(50) The agency shall work with the Agency for Persons
2	with Disabilities to develop a model home and community-based
3	waiver to serve children who are diagnosed with familial
4	dysautonomia or Riley-Day syndrome caused by a mutation of the
5	IKBKAP gene on chromosome 9. The agency shall seek federal
6	waiver approval and implement the approved waiver subject to
7	the availability of funds and any limitations provided in the
8	General Appropriations Act. The agency may adopt rules to
9	implement this waiver program.
10	Section 2. This act shall take effect July 1, 2005.
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12	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13	COMMITTEE SUBSTITUTE FOR <u>Senate Bill 428</u>
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15	The committee substitute directs the Agency for Health Care
16	Administration and the Agency for Persons with Disabilities to develop a model Medicaid home and community-based waiver program to serve children with Familial Dysautonomia. The bill originally identified the Department of Children and Families
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18	instead of ADP which was created last year to manage issues for persons with disability.
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