

CHAMBER ACTION

1 The Health & Families Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Florida KidCare program; amending  
7 s. 409.8132, F.S.; providing for year-round enrollment in  
8 the Medikids program component of the Florida KidCare  
9 program; amending s. 409.8134, F.S.; providing for year-  
10 round enrollment in the Florida KidCare program; providing  
11 a time period for the validity of an application;  
12 providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Subsection (7) of section 409.8132, Florida  
17 Statutes, is amended to read:

18 409.8132 Medikids program component.--

19 (7) ENROLLMENT.--Enrollment in the Medikids program  
20 component may ~~only~~ occur at any time throughout the year during  
21 ~~periodic open enrollment periods as specified in s. 409.8134.~~ A  
22 child may not receive services under the Medikids program until  
23 the child is enrolled in a managed care plan or MediPass. Once

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24 | determined eligible, an applicant may receive choice counseling  
 25 | and select a managed care plan or MediPass. The agency may  
 26 | initiate mandatory assignment for a Medikids applicant who has  
 27 | not chosen a managed care plan or MediPass provider after the  
 28 | applicant's voluntary choice period ends. An applicant may  
 29 | select MediPass under the Medikids program component only in  
 30 | counties that have fewer than two managed care plans available  
 31 | to serve Medicaid recipients and only if the federal Health Care  
 32 | Financing Administration determines that MediPass constitutes  
 33 | "health insurance coverage" as defined in Title XXI of the  
 34 | Social Security Act.

35 | Section 2. Subsection (2) of section 409.8134, Florida  
 36 | Statutes, is amended to read:

37 | 409.8134 Program enrollment and expenditure ceilings.--

38 | (2) ~~Upon a unanimous recommendation by representatives~~  
 39 | ~~from each of the four Florida KidCare administrators,~~ The  
 40 | Florida KidCare program may conduct ~~an open~~ enrollment at any  
 41 | time throughout the year ~~period~~ for the purpose of enrolling  
 42 | children eligible for all program components listed in s.  
 43 | 409.813 except Medicaid. The four Florida KidCare administrators  
 44 | shall work together to ensure that the year-round ~~open~~  
 45 | enrollment period is announced statewide ~~at least 1 month before~~  
 46 | ~~the open enrollment is to begin.~~ Eligible children shall be  
 47 | enrolled on a first-come, first-served basis using the date the  
 48 | ~~open~~ enrollment application is received. ~~The potential open~~  
 49 | ~~enrollment periods shall be January 1st through January 30th and~~  
 50 | ~~September 1st through September 30th.~~ Open Enrollment shall  
 51 | immediately cease when the enrollment ceiling is reached. Year-

52 | round ~~An open~~ enrollment shall only be held if the Social  
53 | Services Estimating Conference determines that sufficient  
54 | federal and state funds will be available to finance the  
55 | increased enrollment through federal fiscal year 2007. Any  
56 | individual who is not enrolled, ~~including those added to the~~  
57 | ~~waiting list after March 11, 2004,~~ must reapply by submitting a  
58 | new application ~~during the next open enrollment period.~~ The  
59 | application for the Florida KidCare program shall be valid for a  
60 | period of 120 days after the date it was received. At the end of  
61 | the 120-day period, if the applicant has not been enrolled in  
62 | the program, the application shall be invalid and the applicant  
63 | shall be notified of the action. The applicant may resubmit the  
64 | application after notification of the action taken by the  
65 | program. ~~However, the Children's Medical Services Network may~~  
66 | ~~annually enroll up to 120 additional children based on emergency~~  
67 | ~~disability criteria outside of the open enrollment periods, and~~  
68 | ~~the cost of serving these children must be managed within the~~  
69 | ~~KidCare program's appropriated or authorized levels of funding.~~  
70 | Except for the Medicaid program, whenever the Social Services  
71 | Estimating Conference determines that there are ~~is~~ presently, or  
72 | will be by the end of the current fiscal year, insufficient  
73 | funds to finance the current or projected enrollment in the  
74 | Florida KidCare program, all additional enrollment must cease  
75 | and additional enrollment may not resume until sufficient funds  
76 | are available to finance such enrollment.

77 | Section 3. This act shall take effect upon becoming a law.