

1 A bill to be entitled
 2 An act relating to the Florida Healthy Kids Corporation
 3 Act; amending s. 624.91, F.S.; removing a limitation on
 4 eligibility for state-funded assistance in paying Florida
 5 Healthy Kids premiums; revising the date by which the
 6 corporation must provide certain notification of the local
 7 match amount to be remitted for the following year;
 8 revising basis for calculation of a county's local match
 9 contribution; amending s. 409.814, F.S.; conforming a
 10 cross-reference; providing an effective date.

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

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14 Section 1. Subsections (5) through (8) of section 624.91,
 15 Florida Statutes, are renumbered as subsections (4) through (7),
 16 respectively, and present subsections (3) and (5) of that
 17 section are amended to read:

18 624.91 The Florida Healthy Kids Corporation Act.--

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

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

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

28 ~~(c) Notwithstanding s. 409.814, individuals who have~~
 29 ~~attained the age of 19 as of March 31, 2004, who were receiving~~
 30 ~~Florida Healthy Kids benefits prior to the enactment of the~~
 31 ~~Florida KidCare program. This paragraph shall be repealed March~~
 32 ~~31, 2005.~~

33 ~~(d) Notwithstanding s. 409.814, state employee dependents~~
 34 ~~who were enrolled in the Florida Healthy Kids program as of~~
 35 ~~January 31, 2004. Such individuals shall remain eligible until~~
 36 ~~January 1, 2005.~~

37 ~~(4)(5)~~ CORPORATION AUTHORIZATION, DUTIES, POWERS.--

38 (b) The Florida Healthy Kids Corporation shall:

39 1. Arrange for the collection of any family, local
 40 contributions, or employer payment or premium, in an amount to
 41 be determined by the board of directors, to provide for payment
 42 of premiums for comprehensive insurance coverage and for the
 43 actual or estimated administrative expenses.

44 2. Arrange for the collection of any voluntary
 45 contributions to provide for payment of premiums for children
 46 who are not eligible for medical assistance under Title XXI of
 47 the Social Security Act. ~~Each fiscal year, the corporation shall~~
 48 ~~establish a local match policy for the enrollment of non-Title-~~
 49 ~~XXI eligible children in the Healthy Kids program. By June May 1~~
 50 of each year, the corporation shall provide written notification
 51 of the local match amount to be remitted to the corporation for
 52 the following fiscal year ~~under that policy~~. Local match sources
 53 may include, but are not limited to, funds provided by
 54 municipalities, counties, school boards, hospitals, health care
 55 providers, charitable organizations, special taxing districts,

56 and private organizations. The minimum local match cash
57 contributions required each fiscal year and local match credits
58 shall be determined by the General Appropriations Act. The
59 corporation shall calculate a county's local match rate based
60 upon that county's enrollment of non-Title-XXI-eligible children
61 as of March 1, 2004. The local match contribution for any county
62 shall not exceed 30 percent of the monthly premium after the
63 family premium is deducted, and 70 percent of the remaining
64 premium is taken from the General Appropriations Act. If local
65 match amounts collected exceed expenditures during any fiscal
66 year, the corporation shall apply any year-end surpluses as a
67 credit to the contributing entity's local match obligation for
68 the subsequent fiscal year ~~percentage of the state's total non-~~
69 ~~Title XXI expenditures as reported in the corporation's most~~
70 ~~recently audited financial statement. In awarding the local~~
71 ~~match credits, the corporation may consider factors including,~~
72 ~~but not limited to, population density, per capita income, and~~
73 ~~existing child health related expenditures and services.~~

74 3. Subject to the provisions of s. 409.8134, accept
75 voluntary supplemental local match contributions that comply
76 with the requirements of Title XXI of the Social Security Act
77 for the purpose of providing additional coverage in contributing
78 counties under Title XXI.

79 4. Establish the administrative and accounting procedures
80 for the operation of the corporation.

81 5. Establish, with consultation from appropriate
82 professional organizations, standards for preventive health
83 services and providers and comprehensive insurance benefits

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84 appropriate to children, provided that such standards for rural
85 areas shall not limit primary care providers to board-certified
86 pediatricians.

87 6. Determine eligibility for children seeking to
88 participate in the Title XXI-funded components of the Florida
89 KidCare program consistent with the requirements specified in s.
90 409.814, ~~as well as the non Title XXI eligible children as~~
91 ~~provided in subsection (3).~~

92 7. Establish procedures under which providers of local
93 match to, applicants to and participants in the program may have
94 grievances reviewed by an impartial body and reported to the
95 board of directors of the corporation.

96 8. Establish participation criteria and, if appropriate,
97 contract with an authorized insurer, health maintenance
98 organization, or third-party administrator to provide
99 administrative services to the corporation.

100 9. Establish enrollment criteria which shall include
101 penalties or waiting periods of not fewer than 60 days for
102 reinstatement of coverage upon voluntary cancellation for
103 nonpayment of family premiums.

104 10. Contract with authorized insurers or any provider of
105 health care services, meeting standards established by the
106 corporation, for the provision of comprehensive insurance
107 coverage to participants. Such standards shall include criteria
108 under which the corporation may contract with more than one
109 provider of health care services in program sites. Health plans
110 shall be selected through a competitive bid process. The Florida
111 Healthy Kids Corporation shall purchase goods and services in

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112 the most cost-effective manner consistent with the delivery of
113 quality medical care. The maximum administrative cost for a
114 Florida Healthy Kids Corporation contract shall be 15 percent.
115 For health care contracts, the minimum medical loss ratio for a
116 Florida Healthy Kids Corporation contract shall be 85 percent.
117 For dental contracts, the remaining compensation to be paid to
118 the authorized insurer or provider under a Florida Healthy Kids
119 Corporation contract shall be no less than an amount which is 85
120 percent of premium; to the extent any contract provision does
121 not provide for this minimum compensation, this section shall
122 prevail. The health plan selection criteria and scoring system,
123 and the scoring results, shall be available upon request for
124 inspection after the bids have been awarded.

125 11. Establish disenrollment criteria in the event local
126 matching funds are insufficient to cover enrollments.

127 12. Develop and implement a plan to publicize the Florida
128 Healthy Kids Corporation, the eligibility requirements of the
129 program, and the procedures for enrollment in the program and to
130 maintain public awareness of the corporation and the program.

131 13. Secure staff necessary to properly administer the
132 corporation. Staff costs shall be funded from state and local
133 matching funds and such other private or public funds as become
134 available. The board of directors shall determine the number of
135 staff members necessary to administer the corporation.

136 14. Provide a report annually to the Governor, Chief
137 Financial Officer, Commissioner of Education, Senate President,
138 Speaker of the House of Representatives, and Minority Leaders of
139 the Senate and the House of Representatives.

140 15. Establish benefit packages which conform to the
 141 provisions of the Florida KidCare program, as created in ss.
 142 409.810-409.820.

143 Section 2. Subsection (9) of section 409.814, Florida
 144 Statutes, is amended to read:

145 409.814 Eligibility.--A child who has not reached 19 years
 146 of age whose family income is equal to or below 200 percent of
 147 the federal poverty level is eligible for the Florida KidCare
 148 program as provided in this section. For enrollment in the
 149 Children's Medical Services Network, a complete application
 150 includes the medical or behavioral health screening. If,
 151 subsequently, an individual is determined to be ineligible for
 152 coverage, he or she must immediately be disenrolled from the
 153 respective Florida KidCare program component.

154 (9) Subject to paragraph (4)(b) ~~and s. 624.91(3)~~, the
 155 Florida KidCare program shall withhold benefits from an enrollee
 156 if the program obtains evidence that the enrollee is no longer
 157 eligible, submitted incorrect or fraudulent information in order
 158 to establish eligibility, or failed to provide verification of
 159 eligibility. The applicant or enrollee shall be notified that
 160 because of such evidence program benefits will be withheld
 161 unless the applicant or enrollee contacts a designated
 162 representative of the program by a specified date, which must be
 163 within 10 days after the date of notice, to discuss and resolve
 164 the matter. The program shall make every effort to resolve the
 165 matter within a timeframe that will not cause benefits to be
 166 withheld from an eligible enrollee.

167 Section 3. This act shall take effect July 1, 2006.