

1 A bill to be entitled
 2 An act relating to children's health insurance; creating
 3 s. 409.8195, F.S.; requiring the Department of Health to
 4 develop a program to identify certain children for
 5 referral to the Department of Children and Family Services
 6 for certain eligibility and choices of health benefits
 7 coverage under the Florida KidCare program; providing
 8 program requirements and criteria; amending s. 409.908,
 9 F.S.; requiring the Agency for Health Care Administration
 10 to provide reimbursement for physician and dental services
 11 at certain levels; amending s. 624.91, F.S.; authorizing
 12 the Florida Healthy Kids Corporation to enter into
 13 contracts for certain purposes; providing an effective
 14 date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 409.8195, Florida Statutes, is created
 19 to read:

20 409.8195 Identification of low-income, uninsured children;
 21 determination of eligibility for the Florida KidCare program;
 22 alternative health care information.--The Department of Health
 23 shall develop a program, in conjunction with the Department of
 24 Education, the Department of Children and Family Services, the
 25 Agency for Health Care Administration, the Florida Healthy Kids
 26 Corporation, local governments, employers, and other
 27 stakeholders to identify low-income, uninsured children and, to
 28 the extent possible and subject to appropriation, refer them to

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

29 the Department of Children and Family Services for eligibility
 30 determination and provide parents with information about choices
 31 of health benefits coverage under the Florida KidCare program.
 32 These activities shall include, but not be limited to: training
 33 community providers in effective methods of outreach; conducting
 34 public information campaigns designed to publicize the Florida
 35 KidCare program, the eligibility requirements of the program,
 36 and the procedures for enrollment in the program; and
 37 maintaining public awareness of the Florida KidCare program.
 38 Special emphasis shall be placed on the identification of
 39 minority children for referral to and participation in the
 40 Florida KidCare program.

41 Section 2. Paragraph (d) is added to subsection (12) of
 42 section 409.908, Florida Statutes, to read:

43 409.908 Reimbursement of Medicaid providers.--Subject to
 44 specific appropriations, the agency shall reimburse Medicaid
 45 providers, in accordance with state and federal law, according
 46 to methodologies set forth in the rules of the agency and in
 47 policy manuals and handbooks incorporated by reference therein.
 48 These methodologies may include fee schedules, reimbursement
 49 methods based on cost reporting, negotiated fees, competitive
 50 bidding pursuant to s. 287.057, and other mechanisms the agency
 51 considers efficient and effective for purchasing services or
 52 goods on behalf of recipients. If a provider is reimbursed based
 53 on cost reporting and submits a cost report late and that cost
 54 report would have been used to set a lower reimbursement rate
 55 for a rate semester, then the provider's rate for that semester
 56 shall be retroactively calculated using the new cost report, and

57 full payment at the recalculated rate shall be effected
 58 retroactively. Medicare-granted extensions for filing cost
 59 reports, if applicable, shall also apply to Medicaid cost
 60 reports. Payment for Medicaid compensable services made on
 61 behalf of Medicaid eligible persons is subject to the
 62 availability of moneys and any limitations or directions
 63 provided for in the General Appropriations Act or chapter 216.
 64 Further, nothing in this section shall be construed to prevent
 65 or limit the agency from adjusting fees, reimbursement rates,
 66 lengths of stay, number of visits, or number of services, or
 67 making any other adjustments necessary to comply with the
 68 availability of moneys and any limitations or directions
 69 provided for in the General Appropriations Act, provided the
 70 adjustment is consistent with legislative intent.

71 (12)

72 (d) Notwithstanding any other provision of this
 73 subsection, the agency shall provide reimbursement for physician
 74 and dental services provided to children under 21 years of age
 75 at least at the level provided by federal law for physician
 76 reimbursement under the Medicare program.

77 Section 3. Paragraph (b) of subsection (5) of section
 78 624.91, Florida Statutes, is amended to read:

79 624.91 The Florida Healthy Kids Corporation Act.--

80 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.--

81 (b) The Florida Healthy Kids Corporation shall:

82 1. Arrange for the collection of any family, local
 83 contributions, or employer payment or premium, in an amount to
 84 be determined by the board of directors, to provide for payment

HB 1423

2006

85 of premiums for comprehensive insurance coverage and for the
86 actual or estimated administrative expenses.

87 2. Arrange for the collection of any voluntary
88 contributions to provide for payment of premiums for children
89 who are not eligible for medical assistance under Title XXI of
90 the Social Security Act. Each fiscal year, the corporation shall
91 establish a local match policy for the enrollment of non-Title-
92 XXI-eligible children in the Healthy Kids program. By May 1 of
93 each year, the corporation shall provide written notification of
94 the amount to be remitted to the corporation for the following
95 fiscal year under that policy. Local match sources may include,
96 but are not limited to, funds provided by municipalities,
97 counties, school boards, hospitals, health care providers,
98 charitable organizations, special taxing districts, and private
99 organizations. The minimum local match cash contributions
100 required each fiscal year and local match credits shall be
101 determined by the General Appropriations Act. The corporation
102 shall calculate a county's local match rate based upon that
103 county's percentage of the state's total non-Title-XXI
104 expenditures as reported in the corporation's most recently
105 audited financial statement. In awarding the local match
106 credits, the corporation may consider factors including, but not
107 limited to, population density, per capita income, and existing
108 child-health-related expenditures and services.

109 3. Subject to the provisions of s. 409.8134, accept
110 voluntary supplemental local match contributions that comply
111 with the requirements of Title XXI of the Social Security Act

HB 1423

2006

112 for the purpose of providing additional coverage in contributing
113 counties under Title XXI.

114 4. Establish the administrative and accounting procedures
115 for the operation of the corporation.

116 5. Establish, with consultation from appropriate
117 professional organizations, standards for preventive health
118 services and providers and comprehensive insurance benefits
119 appropriate to children, provided that such standards for rural
120 areas shall not limit primary care providers to board-certified
121 pediatricians.

122 6. Determine eligibility for children seeking to
123 participate in the Title XXI-funded components of the Florida
124 KidCare program consistent with the requirements specified in s.
125 409.814, as well as the non-Title-XXI-eligible children as
126 provided in subsection (3).

127 7. Establish procedures under which providers of local
128 match to, applicants to and participants in the program may have
129 grievances reviewed by an impartial body and reported to the
130 board of directors of the corporation.

131 8. Establish participation criteria and, if appropriate,
132 contract with an authorized insurer, health maintenance
133 organization, or third-party administrator to provide
134 administrative services to the corporation.

135 9. Establish enrollment criteria which shall include
136 penalties or waiting periods of not fewer than 60 days for
137 reinstatement of coverage upon voluntary cancellation for
138 nonpayment of family premiums.

HB 1423

2006

139 10. Contract with authorized insurers or any provider of
140 health care services, meeting standards established by the
141 corporation, for the provision of comprehensive insurance
142 coverage to participants. Such standards shall include criteria
143 under which the corporation may contract with more than one
144 provider of health care services in program sites. Health plans
145 shall be selected through a competitive bid process. The Florida
146 Healthy Kids Corporation shall purchase goods and services in
147 the most cost-effective manner consistent with the delivery of
148 quality medical care. The maximum administrative cost for a
149 Florida Healthy Kids Corporation contract shall be 15 percent.
150 For health care contracts, the minimum medical loss ratio for a
151 Florida Healthy Kids Corporation contract shall be 85 percent.
152 For dental contracts, the remaining compensation to be paid to
153 the authorized insurer or provider under a Florida Healthy Kids
154 Corporation contract shall be no less than an amount which is 85
155 percent of premium; to the extent any contract provision does
156 not provide for this minimum compensation, this section shall
157 prevail. The health plan selection criteria and scoring system,
158 and the scoring results, shall be available upon request for
159 inspection after the bids have been awarded.

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

162 12. Develop and implement a plan to publicize the Florida
163 Healthy Kids Corporation, the eligibility requirements of the
164 program, and the procedures for enrollment in the program and to
165 maintain public awareness of the corporation and the program.

HB 1423

2006

166 13. Secure staff necessary to properly administer the
167 corporation. Staff costs shall be funded from state and local
168 matching funds and such other private or public funds as become
169 available. The board of directors shall determine the number of
170 staff members necessary to administer the corporation.

171 14. Provide a report annually to the Governor, Chief
172 Financial Officer, Commissioner of Education, Senate President,
173 Speaker of the House of Representatives, and Minority Leaders of
174 the Senate and the House of Representatives.

175 15. Establish benefit packages which conform to the
176 provisions of the Florida KidCare program, as created in ss.
177 409.810-409.820.

178 16. As appropriate, enter into contracts with local school
179 boards or other agencies to provide onsite information,
180 enrollment, and other services necessary to the operation of the
181 corporation.

182 Section 4. This act shall take effect July 1, 2006.