

By Senator Peaden

2-1444-06

See HB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

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

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

624.91 The Florida Healthy Kids Corporation Act.--

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

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

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

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5 ~~repealed March 31, 2005.~~

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

10 ~~(4)(5)~~ CORPORATION AUTHORIZATION, DUTIES, POWERS.--

11 (b) The Florida Healthy Kids Corporation shall:

12 1. Arrange for the collection of any family, local
13 contributions, or employer payment or premium, in an amount to
14 be determined by the board of directors, to provide for
15 payment of premiums for comprehensive insurance coverage and
16 for the actual or estimated administrative expenses.

17 2. Arrange for the collection of any voluntary
18 contributions to provide for payment of premiums for children
19 who are not eligible for medical assistance under Title XXI of
20 the Social Security Act. ~~Each fiscal year, the corporation~~
21 ~~shall establish a local match policy for the enrollment of~~
22 ~~non Title XXI eligible children in the Healthy Kids program.~~

23 By June ~~May~~ 1 of each year, the corporation shall provide
24 written notification of the local match amount to be remitted
25 to the corporation for the following fiscal year ~~under that~~
26 ~~policy~~. Local match sources may include, but are not limited
27 to, funds provided by municipalities, counties, school boards,
28 hospitals, health care providers, charitable organizations,
29 special taxing districts, and private organizations. The
30 minimum local match cash contributions required each fiscal
31 year and local match credits shall be determined by the

1 General Appropriations Act. The corporation shall calculate a
2 county's local match rate based upon that county's enrollment
3 of non-Title-XXI-eligible children as of March 1, 2004. The
4 local match contribution for any county shall not exceed 30
5 percent of the monthly premium after the family premium is
6 deducted, and 70 percent of the remaining premium is taken
7 from the General Appropriations Act. If local match amounts
8 collected exceed expenditures during any fiscal year, the
9 corporation shall apply any year-end surpluses as a credit to
10 the contributing entity's local match obligation for the
11 subsequent fiscal year ~~percentage of the state's total~~
12 ~~non Title XXI expenditures as reported in the corporation's~~
13 ~~most recently audited financial statement. In awarding the~~
14 ~~local match credits, the corporation may consider factors~~
15 ~~including, but not limited to, population density, per capita~~
16 ~~income, and existing child health related expenditures and~~
17 ~~services.~~

18 3. Subject to the provisions of s. 409.8134, accept
19 voluntary supplemental local match contributions that comply
20 with the requirements of Title XXI of the Social Security Act
21 for the purpose of providing additional coverage in
22 contributing counties under Title XXI.

23 4. Establish the administrative and accounting
24 procedures for the operation of the corporation.

25 5. Establish, with consultation from appropriate
26 professional organizations, standards for preventive health
27 services and providers and comprehensive insurance benefits
28 appropriate to children, provided that such standards for
29 rural areas shall not limit primary care providers to
30 board-certified pediatricians.

31

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

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

10 8. Establish participation criteria and, if
11 appropriate, contract with an authorized insurer, health
12 maintenance organization, or third-party administrator to
13 provide administrative services to the corporation.

14 9. Establish enrollment criteria which shall include
15 penalties or waiting periods of not fewer than 60 days for
16 reinstatement of coverage upon voluntary cancellation for
17 nonpayment of family premiums.

18 10. Contract with authorized insurers or any provider
19 of health care services, meeting standards established by the
20 corporation, for the provision of comprehensive insurance
21 coverage to participants. Such standards shall include
22 criteria under which the corporation may contract with more
23 than one provider of health care services in program sites.
24 Health plans shall be selected through a competitive bid
25 process. The Florida Healthy Kids Corporation shall purchase
26 goods and services in the most cost-effective manner
27 consistent with the delivery of quality medical care. The
28 maximum administrative cost for a Florida Healthy Kids
29 Corporation contract shall be 15 percent. For health care
30 contracts, the minimum medical loss ratio for a Florida
31 Healthy Kids Corporation contract shall be 85 percent. For

1 dental contracts, the remaining compensation to be paid to the
2 authorized insurer or provider under a Florida Healthy Kids
3 Corporation contract shall be no less than an amount which is
4 85 percent of premium; to the extent any contract provision
5 does not provide for this minimum compensation, this section
6 shall prevail. The health plan selection criteria and scoring
7 system, and the scoring results, shall be available upon
8 request for inspection after the bids have been awarded.

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

11 12. Develop and implement a plan to publicize the
12 Florida Healthy Kids Corporation, the eligibility requirements
13 of the program, and the procedures for enrollment in the
14 program and to maintain public awareness of the corporation
15 and the program.

16 13. Secure staff necessary to properly administer the
17 corporation. Staff costs shall be funded from state and local
18 matching funds and such other private or public funds as
19 become available. The board of directors shall determine the
20 number of staff members necessary to administer the
21 corporation.

22 14. Provide a report annually to the Governor, Chief
23 Financial Officer, Commissioner of Education, Senate
24 President, Speaker of the House of Representatives, and
25 Minority Leaders of the Senate and the House of
26 Representatives.

27 15. Establish benefit packages which conform to the
28 provisions of the Florida KidCare program, as created in ss.
29 409.810-409.820.

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

1 409.814 Eligibility.--A child who has not reached 19
2 years of age whose family income is equal to or below 200
3 percent of the federal poverty level is eligible for the
4 Florida KidCare program as provided in this section. For
5 enrollment in the Children's Medical Services Network, a
6 complete application includes the medical or behavioral health
7 screening. If, subsequently, an individual is determined to be
8 ineligible for coverage, he or she must immediately be
9 disenrolled from the respective Florida KidCare program
10 component.

11 (9) Subject to paragraph (4)(b) ~~and s. 624.91(3)~~, the
12 Florida KidCare program shall withhold benefits from an
13 enrollee if the program obtains evidence that the enrollee is
14 no longer eligible, submitted incorrect or fraudulent
15 information in order to establish eligibility, or failed to
16 provide verification of eligibility. The applicant or enrollee
17 shall be notified that because of such evidence program
18 benefits will be withheld unless the applicant or enrollee
19 contacts a designated representative of the program by a
20 specified date, which must be within 10 days after the date of
21 notice, to discuss and resolve the matter. The program shall
22 make every effort to resolve the matter within a timeframe
23 that will not cause benefits to be withheld from an eligible
24 enrollee.

25 Section 3. This act shall take effect July 1, 2006.
26
27
28
29
30
31