

1 A bill to be entitled
 2 An act relating to access to health care; amending s.
 3 408.909, F.S.; revising criteria for eligibility for
 4 enrollment in a health flex plan; creating s. 445.015,
 5 F.S.; establishing a small business health insurance plan
 6 grant program; providing purposes of the grant program;
 7 providing conditions for use of grant funds; providing
 8 duties of the Agency for Workforce Innovation and the
 9 Office of Insurance Regulation; requiring a report to the
 10 Governor and Legislature; providing that the grant program
 11 is contingent upon specific appropriation; providing an
 12 effective date.

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

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 16 Section 1. Subsection (5) of section 408.909, Florida
 17 Statutes, is amended to read:

18 408.909 Health flex plans.--

19 (5) ELIGIBILITY.--Eligibility to enroll in an approved
 20 health flex plan is limited to residents of this state who:

21 (a) Are 64 years of age or younger;

22 (b) Have a family income equal to or less than 200 percent
 23 of the federal poverty level;

24 (c) Are eligible under a federally approved Medicaid
 25 demonstration waiver and reside in Palm Beach County or Miami-
 26 Dade County;

27 ~~(d) Are not covered by a private insurance policy and are~~
 28 ~~not eligible for coverage through a public health insurance~~

29 ~~program, such as Medicare or Medicaid, unless specifically~~
 30 ~~authorized under paragraph (c), or another public health care~~
 31 ~~program, such as Kidcare, and have not been covered at any time~~
 32 ~~during the past 6 months; and~~

33 (d)(e) Have applied for health care coverage through an
 34 approved health flex plan and have agreed to make any payments
 35 required for participation, including periodic payments or
 36 payments due at the time health care services are provided; and

37 (e) Are either:

38 1. Not covered by a private insurance policy and not
 39 eligible for coverage through a public health insurance program,
 40 such as Medicare or Medicaid, unless specifically authorized
 41 under paragraph (c), or another public health care program, such
 42 as Kidcare, and have not been covered at any time during the
 43 past 6 months; or

44 2. Part of an employer group that is not covered by a
 45 private health insurance policy and has not been covered at any
 46 time during the past 6 months and in which at least 75 percent
 47 of the employees have a family income equal to or less than 250
 48 percent of the federal poverty level. If the health flex plan
 49 entity is a properly licensed health insurer, health plan, or
 50 health maintenance organization, this subparagraph applies when
 51 only 50 percent of the employees have a family income equal to
 52 or less than 250 percent of the federal poverty level.

53 Section 2. Section 445.015, Florida Statutes, is created
 54 to read:

55 445.015 Small business health insurance plan grant
 56 program.--

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57 (1) The agency shall establish a small business health
58 insurance plan grant program to award, administer, and monitor
59 grants to small employers and small businesses to develop and
60 offer cafeteria health plans that qualify under s. 125 of the
61 Internal Revenue Code and include options such as prepaid health
62 clinic services licensed under part II of chapter 641 for the
63 purpose of improving access to health insurance for uninsured
64 employees. The agency shall give priority to employer proposals
65 that would improve access for previously uninsured employees or
66 include long-term commitments to insure employees. Grant funds
67 shall not be used for ongoing maintenance of the plans or for
68 employer contributions. The agency, in consultation with the
69 Office of Insurance Regulation, shall evaluate each project
70 funded by a grant to measure any increases in access to
71 insurance and the long-term viability of such increases. The
72 agency shall design materials and interactive programs to inform
73 small employers and small businesses about such cafeteria health
74 plans and shall provide training to assist small employers and
75 small businesses in developing such plans. Training shall
76 include technical assistance in establishing relationships with
77 health plans and individualized guidance on operational methods
78 and infrastructure that will best support and ensure the long-
79 term success of using these plans.

80 (2) The agency shall submit a report that documents the
81 specific activities undertaken during the fiscal year pursuant
82 to this section annually to the Governor, the President of the
83 Senate, and the Speaker of the House of Representatives no later
84 than February 1.

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85 Section 3. This act shall take effect July 1, 2007, except
86 that s. 445.015, Florida Statutes, as created by this act, shall
87 take effect only if a specific appropriation to the Agency for
88 Health Care Administration to fund the small business health
89 insurance plan grant program is made in the General
90 Appropriations Act for fiscal year 2007-2008.