

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 an appropriation;  
 11          providing an effective date.

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

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

17           408.909 Health flex plans.--

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

- 20           (a) Are 64 years of age or younger;
- 21           (b) Have a family income equal to or less than 250 ~~200~~  
 22   percent of the federal poverty level;

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

- 26           ~~(d) Are not covered by a private insurance policy and are~~  
 27   ~~not eligible for coverage through a public health insurance~~  
 28   ~~program, such as Medicare or Medicaid, unless specifically~~

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

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

36 (e) Are either:

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

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

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

54 445.015 Small business health insurance plan grant  
 55 program.--

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

81       (2) The agency shall submit a report that documents the  
82 specific activities undertaken during the fiscal year pursuant  
83 to this section annually to the Governor, the President of the

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84 Senate, and the Speaker of the House of Representatives no later  
85 than February 1.

86 Section 3. The sum of \$250,000 in nonrecurring revenue is  
87 appropriated from the General Revenue Fund to the Agency for  
88 Workforce Innovation for the 2007-2008 fiscal year to award  
89 Small Business Health Insurance Plan Grants to eligible  
90 businesses.

91 Section 4. This act shall take effect July 1, 2007.