

Bill No. SB 1740

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CHAMBER ACTION

Senate

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The Committee on Health Policy (Dockery) recommended the following amendment:

**Senate Amendment**

Delete everything after the enacting clause

and insert:

Section 1. Subsection (27) is added to section 409.811, Florida Statutes, to read:

409.811 Definitions relating to Florida Kidcare Act.--As used in ss. 409.810-409.820, the term:

(27) "Maximum income threshold" means a percentage of the current federal poverty level used to determine eligibility for certain program components, as approved by federal waiver or an amendment to the state plan.

Section 2. Paragraph (a) of subsection (6) and subsection (7) of section 409.8132, Florida Statutes, are amended to read:

409.8132 Medikids program component.--

(6) ELIGIBILITY.--

(a) A child who has attained the age of 1 year but who

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1 is under the age of 5 years is eligible to enroll in the  
 2 Medikids program component of the Florida Kidcare program, if  
 3 the child is a member of a family that has a family income  
 4 which exceeds the Medicaid applicable income level as  
 5 specified in s. 409.903, but which is equal to or below the  
 6 maximum income threshold ~~200 percent of the current federal~~  
 7 ~~poverty level~~. In determining the eligibility of such a child,  
 8 an assets test is not required. A child who is eligible for  
 9 Medikids may elect to enroll in Florida Healthy Kids coverage  
 10 or employer-sponsored group coverage. However, a child who is  
 11 eligible for Medikids may participate in the Florida Healthy  
 12 Kids program only if the child has a sibling participating in  
 13 the Florida Healthy Kids program and the child's county of  
 14 residence permits such enrollment.

15 (7) ENROLLMENT.--Enrollment in the Medikids program  
 16 component may occur at any time throughout the year. A child  
 17 may not receive services under the Medikids program until the  
 18 child is enrolled in a managed care plan or MediPass. Once  
 19 determined eligible, an applicant may receive choice  
 20 counseling and select a managed care plan or MediPass. The  
 21 agency may initiate mandatory assignment for a Medikids  
 22 applicant who has not chosen a managed care plan or MediPass  
 23 provider after the applicant's voluntary choice period ends.  
 24 The Medikids mandatory assignment process shall assign  
 25 applicants to managed care plans or MediPass providers in  
 26 order to keep family members assigned to the same managed care  
 27 plan or MediPass provider to the greatest extent possible,  
 28 including situations in which some family members are enrolled  
 29 in Medicaid and others are enrolled in a Title XXI Kidcare  
 30 component. An applicant may select MediPass under the  
 31 Medikids program component only in counties that have fewer

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1 than two managed care plans available to serve Medicaid  
 2 recipients and only if the federal Health Care Financing  
 3 Administration determines that MediPass constitutes "health  
 4 insurance coverage" as defined in Title XXI of the Social  
 5 Security Act.

6 Section 3. Subsection (2) of section 409.8134, Florida  
 7 Statutes, is amended to read:

8 409.8134 Program expenditure ceiling.--

9 (2) The Florida Kidcare program may conduct enrollment  
 10 at any time throughout the year for the purpose of enrolling  
 11 children eligible for all program components listed in s.  
 12 409.813 except Medicaid. The four Florida Kidcare  
 13 administrators shall work together to ensure that the  
 14 year-round enrollment period is announced statewide. Eligible  
 15 children shall be enrolled on a first-come, first-served basis  
 16 using the date the enrollment application is received.  
 17 Enrollment shall immediately cease when the expenditure  
 18 ceiling is reached. Year-round enrollment shall ~~only~~ be held  
 19 only if the Social Services Estimating Conference determines  
 20 that sufficient ~~federal and state~~ funds will be available to  
 21 finance the increased enrollment ~~through federal fiscal year~~  
 22 ~~2007~~. Any individual who is not enrolled must reapply by  
 23 submitting a new application. The application for the Florida  
 24 Kidcare program shall be valid for a period of 120 days after  
 25 the date it was received. At the end of the 120-day period, if  
 26 the applicant has not been enrolled in the program, the  
 27 application shall be invalid and the applicant shall be  
 28 notified of the action. The applicant may reactivate ~~resubmit~~  
 29 the application after notification of the action taken by the  
 30 program. Except for the Medicaid program, whenever the Social  
 31 Services Estimating Conference determines that there are

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1 presently, or will be by the end of the current fiscal year,  
 2 insufficient funds to finance the current or projected  
 3 enrollment in the Florida Kidcare program, all additional  
 4 enrollment must cease and additional enrollment may not resume  
 5 until sufficient funds are available to finance such  
 6 enrollment.

7 Section 4. Section 409.814, Florida Statutes, is  
 8 amended to read:

9 409.814 Eligibility.--A child who has not reached 19  
 10 years of age and whose family income is equal to or below the  
 11 maximum income threshold ~~200 percent of the federal poverty~~  
 12 ~~level~~ is eligible for the Florida Kidcare program as provided  
 13 in this section. For enrollment in the Children's Medical  
 14 Services Network, a complete application includes the medical  
 15 or behavioral health screening. If, subsequently, an  
 16 individual is determined to be ineligible for coverage, he or  
 17 she must immediately be disenrolled from the respective  
 18 Florida Kidcare program component.

19 (1) A child who is eligible for Medicaid coverage  
 20 under s. 409.903 or s. 409.904 must be enrolled in Medicaid  
 21 and is not eligible to receive health benefits under any other  
 22 health benefits coverage authorized under the Florida Kidcare  
 23 program.

24 (2) A child who is not eligible for Medicaid, but who  
 25 is eligible for the Florida Kidcare program, may obtain health  
 26 benefits coverage under any of the other components listed in  
 27 s. 409.813 if such coverage is approved and available in the  
 28 county in which the child resides. However, a child who is  
 29 eligible for Medikids may participate in the Florida Healthy  
 30 Kids program only if the child has a sibling participating in  
 31 the Florida Healthy Kids program and the child's county of

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1 residence permits such enrollment.

2 (3) A child who is eligible for the Florida Kidcare  
3 program who is a child with special health care needs, as  
4 determined through a medical or behavioral screening  
5 instrument, is eligible for health benefits coverage from and  
6 shall be referred to the Children's Medical Services Network.

7 (4) A child who will lose eligibility for Florida  
8 Kidcare coverage funded under Title XIX because the child has  
9 exceeded income or age limits shall be presumed eligible for  
10 the Florida Kidcare program and shall have 60 days of  
11 continued eligibility within his or her existing plan or  
12 coverage following redetermination in order to allow for a  
13 transition to Title XXI-funded Florida Kidcare coverage  
14 without a lapse in coverage. The Agency for Health Care  
15 Administration shall seek federal waiver authority under Title  
16 XIX or Title XXI for such continued eligibility with the goal  
17 of securing federal matching funds consistent with the federal  
18 SCHIP match for the additional 60 days of eligibility.

19 ~~(5)(4)~~ The following children are not eligible to  
20 receive premium assistance for health benefits coverage under  
21 the Florida Kidcare program, except under Medicaid if the  
22 child would have been eligible for Medicaid under s. 409.903  
23 or s. 409.904 as of June 1, 1997:

24 (a) A child who is eligible for coverage under a state  
25 health benefit plan on the basis of a family member's  
26 employment with a public agency in the state.

27 (b) A child who is currently eligible for or covered  
28 under a family member's group health benefit plan or under  
29 other employer health insurance coverage, excluding coverage  
30 provided under the Florida Healthy Kids Corporation as  
31 established under s. 624.91, provided that the cost of the

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1 child's participation is not greater than 5 percent of the  
 2 family's income. ~~This provision shall be applied during~~  
 3 ~~redetermination for children who were enrolled prior to July~~  
 4 ~~1, 2004. These enrollees shall have 6 months of eligibility~~  
 5 ~~following redetermination to allow for a transition to the~~  
 6 ~~other health benefit plan.~~

7 (c) A child who is seeking premium assistance for the  
 8 Florida Kidcare program through employer-sponsored group  
 9 coverage, if the child has been covered by the same employer's  
 10 group coverage during the 6 months prior to the family's  
 11 submitting an application for determination of eligibility  
 12 under the program.

13 (d) A child who is an alien, but who does not meet the  
 14 definition of qualified alien, in the United States.

15 (e) A child who is an inmate of a public institution  
 16 or a patient in an institution for mental diseases.

17 ~~(f) A child who has had his or her coverage in an~~  
 18 ~~employer-sponsored health benefit plan voluntarily canceled in~~  
 19 ~~the last 6 months, except those children who were on the~~  
 20 ~~waiting list prior to March 12, 2004.~~

21 ~~(f)(g)~~ (f) A child who is otherwise eligible for Kidcare  
 22 and who has a preexisting condition that prevents coverage  
 23 under another insurance plan as described in paragraph (b)  
 24 which would have disqualified the child for Kidcare if the  
 25 child were able to enroll in the plan shall be eligible for  
 26 Kidcare coverage when enrollment is possible.

27 ~~(6)(5)~~ (6) A child whose family income is above the  
 28 maximum income threshold ~~200 percent of the federal poverty~~  
 29 ~~level~~ or a child who is excluded under the provisions of  
 30 subsection(5) ~~(4)~~ may participate in the Medikids program as  
 31 provided in s. 409.8132 or, if the child is ineligible for

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1 Medikids by reason of age, in the Florida Healthy Kids  
2 program, subject to the following provisions:

3 (a) The family is not eligible for premium assistance  
4 payments and must pay the full cost of the premium, including  
5 any administrative costs.

6 (b) The agency is authorized to place limits on  
7 enrollment in Medikids by these children in order to avoid  
8 adverse selection. The number of children participating in  
9 Medikids whose family income exceeds the maximum income  
10 threshold ~~200 percent of the federal poverty level~~ must not  
11 exceed 10 percent of total enrollees in the Medikids program.

12 (c) The board of directors of the Florida Healthy Kids  
13 Corporation is authorized to place limits on enrollment of  
14 these children in order to avoid adverse selection. In  
15 addition, the board is authorized to offer a reduced benefit  
16 package to these children in order to limit program costs for  
17 such families. The number of children participating in the  
18 Florida Healthy Kids program whose family income exceeds the  
19 maximum income threshold ~~200 percent of the federal poverty~~  
20 ~~level~~ must not exceed 10 percent of total enrollees in the  
21 Florida Healthy Kids program.

22 ~~(7)(6)~~ Once a child is enrolled in the Florida Kidcare  
23 program, the child is eligible for coverage under the program  
24 for 12 months without a redetermination or reverification of  
25 eligibility, if the family continues to pay the applicable  
26 premium. Eligibility for program components funded through  
27 Title XXI of the Social Security Act shall terminate when a  
28 child attains the age of 19. Effective January 1, 1999, a  
29 child who has not attained the age of 5 and who has been  
30 determined eligible for the Medicaid program is eligible for  
31 coverage for 12 months without a redetermination or

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1 reverification of eligibility.

2       ~~(8)(7)~~ When determining or reviewing a child's  
 3 eligibility under the Florida Kidcare program, the applicant  
 4 shall be provided with reasonable notice of changes in  
 5 eligibility which may affect enrollment in one or more of the  
 6 program components. When a transition from one program  
 7 component to another is authorized, there shall be cooperation  
 8 between the program components, ~~and~~ the affected family, the  
 9 child's health plan, and the child's health care providers to  
 10 promote which promotes continuity of health care coverage. The  
 11 agency, in coordination with the Department of Children and  
 12 Family Services, shall notify the Medicaid managed care plans  
 13 and MediPass providers concerning their members' or patients'  
 14 loss of eligibility for Medicaid or Medikids no less than 60  
 15 days in advance so that the health plans and providers may  
 16 assist the families in applying for the Florida Healthy Kids  
 17 program. Any authorized transfers must be managed within the  
 18 program's overall appropriated or authorized levels of  
 19 funding. Each component of the program shall establish a  
 20 reserve to ensure that transfers between components will be  
 21 accomplished within current year appropriations. These  
 22 reserves shall be reviewed by each convening of the Social  
 23 Services Estimating Conference to determine the adequacy of  
 24 such reserves to meet actual experience.

25       ~~(9)(8)~~ In determining the eligibility of a child, an  
 26 assets test is not required. Each applicant's family income,  
 27 birth certificate, and proof of identity shall be verified  
 28 electronically in order to determine eligibility for the  
 29 Florida Kidcare program. If electronic verification of  
 30 eligibility information is not available, an ~~Each~~ applicant  
 31 shall provide written documentation during the application



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1 process and the redetermination process, including, but not  
2 limited to, the following:

3 (a) Proof of family income, which must include a copy  
4 of the applicant's most recent federal income tax return. In  
5 the absence of a federal income tax return, an applicant may  
6 submit wages and earnings statements (pay stubs), W-2 forms,  
7 or other appropriate documents.

8 (b) A statement from all employed family members that:

9 1. Their employer does not sponsor a health benefit  
10 plan for employees; or

11 2. The potential enrollee is not covered by the  
12 employer-sponsored health benefit plan because the potential  
13 enrollee is not eligible for coverage, or, if the potential  
14 enrollee is eligible but not covered, a statement of the cost  
15 to enroll the potential enrollee in the employer-sponsored  
16 health benefit plan.

17  
18 Anyone applying for full-pay coverage under the Florida  
19 Kidcare program is not required to provide the eligibility  
20 information required under this section.

21 ~~(10)(9)~~ Subject to paragraph(5) ~~(4)~~(b) and s.  
22 624.91(4), the Florida Kidcare program shall withhold benefits  
23 from an enrollee if the program obtains evidence that the  
24 enrollee is no longer eligible, submitted incorrect or  
25 fraudulent information in order to establish eligibility, or  
26 failed to provide verification of eligibility. The applicant  
27 or enrollee shall be notified that because of such evidence  
28 program benefits will be withheld unless the applicant or  
29 enrollee contacts a designated representative of the program  
30 by a specified date, which must be within 10 days after the  
31 date of notice, to discuss and resolve the matter. The program

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1 shall make every effort to resolve the matter within a  
2 timeframe that will not cause benefits to be withheld from an  
3 eligible enrollee.

4 ~~(11)~~(10) The following individuals may be subject to  
5 prosecution in accordance with s. 414.39:

6 (a) An applicant obtaining or attempting to obtain  
7 benefits for a potential enrollee under the Florida Kidcare  
8 program when the applicant knows or should have known the  
9 potential enrollee does not qualify for the Florida Kidcare  
10 program.

11 (b) An individual who assists an applicant in  
12 obtaining or attempting to obtain benefits for a potential  
13 enrollee under the Florida Kidcare program when the individual  
14 knows or should have known the potential enrollee does not  
15 qualify for the Florida Kidcare program.

16 Section 5. Subsection (1) of section 409.818, Florida  
17 Statutes, is amended, and paragraph (g) is added to subsection  
18 (3) of that section, to read:

19 409.818 Administration.--In order to implement ss.  
20 409.810-409.820, the following agencies shall have the  
21 following duties:

22 (1) The Department of Children and Family Services  
23 shall:

24 (a) Develop a standardized ~~simplified~~ eligibility  
25 application ~~mail-in~~ form to be used for determining the  
26 eligibility of children for coverage for all components of  
27 ~~under~~ the Florida Kidcare program, in consultation with the  
28 agency, the Department of Health, and the Florida Healthy Kids  
29 Corporation. The standardized ~~simplified~~ eligibility  
30 application form must include an item that provides an  
31 opportunity for the applicant to indicate whether coverage is

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1 being sought for a child with special health care needs.

2 Families applying for children's Medicaid coverage must also  
3 be able to use the simplified application form without having  
4 to pay a premium.

5 (b) Establish and maintain the eligibility  
6 determination process under the program except as specified in  
7 subsection (5). The department shall directly, or through the  
8 services of a contracted third-party administrator, establish  
9 and maintain a process for determining eligibility of children  
10 for coverage under the program. The eligibility determination  
11 process must be used solely for determining eligibility of  
12 applicants for health benefits coverage under the program. The  
13 eligibility determination process must include an initial  
14 determination of eligibility for any coverage offered under  
15 the program, as well as a redetermination or reverification of  
16 eligibility, 12 months after enrollment ~~each subsequent 6~~

17 ~~months~~. Effective January 1, 1999, a child who has not  
18 attained the age of 5 and who has been determined eligible for  
19 the Medicaid program is eligible for coverage for 12 months  
20 without a redetermination or reverification of eligibility. In  
21 conducting an eligibility determination, the department shall  
22 determine if the child has special health care needs. The  
23 department, in consultation with the Agency for Health Care  
24 Administration and the Florida Healthy Kids Corporation, shall  
25 develop procedures for redetermining eligibility which enable  
26 a family to easily update any change in circumstances which  
27 could affect eligibility. The department may accept changes in  
28 a family's status as reported to the department by the Florida  
29 Healthy Kids Corporation without requiring a new application  
30 from the family. Redetermination of a child's eligibility for  
31 Medicaid may not be linked to a child's eligibility

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1 determination for other programs.

2 (c) Inform program applicants about eligibility  
3 determinations and provide information about eligibility of  
4 applicants to Medicaid, Medikids, the Children's Medical  
5 Services Network, and the Florida Healthy Kids Corporation,  
6 and to insurers and their agents, through a centralized  
7 coordinating office.

8 (d) Design a plan, in consultation with the Florida  
9 Healthy Kids Corporation, for determining eligibility for  
10 public assistance or Medicaid which will enable applicants  
11 with children who apply to the department for Medicaid or  
12 other public assistance to apply for the Healthy Kids program  
13 using the same application information in the event they are  
14 found ineligible for Medicaid. The plan must be sufficient to  
15 enable such applicants to submit all information necessary for  
16 enrollment in the Healthy Kids program, including the  
17 opportunity for such applicants to indicate whether coverage  
18 is being sought for a child with special health care needs.  
19 The plan shall allow the department to forward such  
20 application information, together with accompanying  
21 documentation as necessary, to the Florida Healthy Kids  
22 Corporation, and the plan shall allow such application  
23 information and documents to be processed for Healthy Kids  
24 program enrollment by the Florida Healthy Kids Corporation in  
25 accordance with eligibility criteria then in effect without  
26 requiring the applicant to submit a separate application for  
27 the Healthy Kids program. The department shall submit such  
28 plan to the President of the Senate, the Speaker of the House  
29 of Representatives, and the Governor no later than December  
30 31, 2007.

31 (e)(d) Adopt rules necessary for conducting program

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1 eligibility functions.

2 (3) The Agency for Health Care Administration, under  
3 the authority granted in s. 409.914(1), shall:

4 (g) The agency shall seek a state plan amendment and  
5 waiver authority, if necessary, from the federal Centers for  
6 Medicare and Medicaid Services for a maximum income threshold  
7 of up to 225 percent of the federal poverty level. Until the  
8 federal agency approves the request, the maximum income  
9 threshold used for the Florida KidCare program shall be 200  
10 percent of the federal poverty level or the highest income  
11 threshold allowed under current federal law and state plan  
12 amendment, whichever is higher, up to 225 percent of the  
13 federal poverty level. Any such expansion under this  
14 subsection is subject to a specified appropriation for such  
15 purpose and the availability of federal matching funds for  
16 children in families above 200 percent of the federal poverty  
17 level.

18  
19 The agency is designated the lead state agency for Title XXI  
20 of the Social Security Act for purposes of receipt of federal  
21 funds, for reporting purposes, and for ensuring compliance  
22 with federal and state regulations and rules.

23 Section 6. Paragraph (b) of subsection (2) and  
24 paragraph (b) of subsection (5) of section 624.91, Florida  
25 Statutes, are amended to read:

26 624.91 The Florida Healthy Kids Corporation Act.--

27 (2) LEGISLATIVE INTENT.--

28 (b) It is the intent of the Legislature that the  
29 Florida Healthy Kids Corporation serve as one of several  
30 providers of services to children eligible for medical  
31 assistance under Title XXI of the Social Security Act.

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1 Although the corporation may serve other children, the  
 2 Legislature intends that the primary recipients of services  
 3 provided through the corporation be school-age children with a  
 4 family income below the maximum income threshold as defined in  
 5 s. 409.811(27) ~~200 percent of the federal poverty level~~, who  
 6 do not qualify for Medicaid. It is also the intent of the  
 7 Legislature that state and local government Florida Healthy  
 8 Kids funds be used to continue coverage, subject to specific  
 9 appropriations in the General Appropriations Act, to children  
 10 not eligible for federal matching funds under Title XXI.

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

12 (b) The Florida Healthy Kids Corporation shall:

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

18 2. Arrange for the collection of any voluntary  
 19 contributions to provide for payment of premiums for children  
 20 who are not eligible for medical assistance under Title XXI of  
 21 the Social Security Act.

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

27 4. Establish the administrative and accounting  
 28 procedures for the operation of the corporation.

29 5. Establish, with consultation from appropriate  
 30 professional organizations, standards for preventive health  
 31 services and providers and comprehensive insurance benefits

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1 appropriate to children, provided that such standards for  
2 rural areas shall not limit primary care providers to  
3 board-certified pediatricians.

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

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

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

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

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

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1 Corporation contract shall be 15 percent. For health care  
 2 contracts, the minimum medical loss ratio for a Florida  
 3 Healthy Kids Corporation contract shall be 85 percent. For  
 4 dental contracts, the remaining compensation to be paid to the  
 5 authorized insurer or provider under a Florida Healthy Kids  
 6 Corporation contract shall be no less than an amount which is  
 7 85 percent of premium; to the extent any contract provision  
 8 does not provide for this minimum compensation, this section  
 9 shall prevail. The health plan selection criteria and scoring  
 10 system, and the scoring results, shall be available upon  
 11 request for inspection after the bids have been awarded.

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

14         12. Develop and implement a plan to publicize the  
 15 Florida Healthy Kids Corporation, the eligibility requirements  
 16 of the program, and the procedures for enrollment in the  
 17 program and to maintain public awareness of the corporation  
 18 and the program. Health and dental plans participating in the  
 19 Florida Healthy Kids program may develop and distribute  
 20 marketing and other promotional materials and participate in  
 21 activities, such as health fairs and public events, as  
 22 approved by the corporation. The health and dental plans may  
 23 also contact their current and former enrollees to encourage  
 24 continued participation in the program and to assist the  
 25 enrollee in transferring from a Title XIX-financed plan to a  
 26 Title XXI-financed plan.

27         13. Secure staff necessary to properly administer the  
 28 corporation. Staff costs shall be funded from state and local  
 29 matching funds and such other private or public funds as  
 30 become available. The board of directors shall determine the  
 31 number of staff members necessary to administer the



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1 corporation.

2           14. Provide a report annually to the Governor, Chief  
3 Financial Officer, Commissioner of Education, Senate  
4 President, Speaker of the House of Representatives, and  
5 Minority Leaders of the Senate and the House of  
6 Representatives.

7           15. Establish benefit packages which conform to the  
8 provisions of the Florida Kidcare program, as created in ss.  
9 409.810-409.820.

10           16. Establish an assignment process for Healthy Kids  
11 enrollees in order to keep family members assigned to the same  
12 managed care plan to the greatest extent possible, including  
13 situations in which some family members are enrolled in a  
14 Medicaid managed care plan and others are enrolled in a  
15 Healthy Kids plan. The Agency for Health Care Administration  
16 shall work together with the corporation to implement this  
17 subparagraph.

18           (c) Coverage under the corporation's program is  
19 secondary to any other available private coverage held by, or  
20 applicable to, the participant child or family member.  
21 Insurers under contract with the corporation are the payors of  
22 last resort and must coordinate benefits with any other  
23 third-party payor that may be liable for the participant's  
24 medical care.

25           (d) The Florida Healthy Kids Corporation shall be a  
26 private corporation not for profit, organized pursuant to  
27 chapter 617, and shall have all powers necessary to carry out  
28 the purposes of this act, including, but not limited to, the  
29 power to receive and accept grants, loans, or advances of  
30 funds from any public or private agency and to receive and  
31 accept from any source contributions of money, property,

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1 labor, or any other thing of value, to be held, used, and  
2 applied for the purposes of this act.

3           Section 7. This act shall take effect upon becoming a  
4 law.

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