

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Patronis offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 130-132 and insert:

5 Section 5. Effective July 1, 2007, subsection (5) of  
6 section 408.909, Florida Statutes, is amended, and paragraph (d)  
7 is added to subsection (3) of that section, to read:

8 408.909 Health flex plans.--

9 (3) PROGRAM.--The agency and the office shall each approve  
10 or disapprove health flex plans that provide health care  
11 coverage for eligible participants. A health flex plan may limit  
12 or exclude benefits otherwise required by law for insurers  
13 offering coverage in this state, may cap the total amount of  
14 claims paid per year per enrollee, may limit the number of  
15 enrollees, or may take any combination of those actions. A

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16 health flex plan offering may include the option of a  
17 catastrophic plan supplementing the health flex plan.

18 (d) In order to expedite financial determinations and  
19 immediately qualify a large base of eligible entities to offer  
20 health flex plans, health insurers licensed under chapters 624  
21 and 627, fraternal benefit societies licensed under chapter 632,  
22 prepaid limited health service organizations licensed under  
23 chapter 636, health maintenance organizations licensed under  
24 part I of chapter 641, prepaid health clinics licensed under  
25 part II of chapter 641, and provider service networks authorized  
26 under chapter 409 shall be deemed in compliance with the  
27 financial requirements to offer a health flex plan. In addition,  
28 any local government or health care district that has the  
29 initial operating funds and taxing authority to fulfill its  
30 obligations under the proposed health flex plan shall be deemed  
31 in compliance with the financial requirements to offer a health  
32 flex plan.

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

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

36 (b) Have a family income equal to or less than 250 ~~200~~  
37 percent of the federal poverty level;

38 (c) Are eligible under a federally approved Medicaid  
39 demonstration waiver and reside in Palm Beach County or Miami-  
40 Dade County;

41 ~~(d) Are not covered by a private insurance policy and are~~  
42 ~~not eligible for coverage through a public health insurance~~  
43 ~~program, such as Medicare or Medicaid, unless specifically~~  
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44 ~~authorized under paragraph (c), or another public health care~~  
45 ~~program, such as Kidcare, and have not been covered at any time~~  
46 ~~during the past 6 months; and~~

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

51 (e) Are either:

52 1. Not covered by a private insurance policy and not  
53 eligible for coverage through a public health insurance program,  
54 such as Medicare or Medicaid, unless specifically authorized  
55 under paragraph (c), or another public health care program, such  
56 as Kidcare, and have not been covered at any time during the  
57 past 6 months; or

58 2. Part of an employer group that is not covered by a  
59 private health insurance policy and has not been covered at any  
60 time during the past 6 months and in which at least 75 percent  
61 of the employees have a family income equal to or less than 250  
62 percent of the federal poverty level. If the health flex plan  
63 entity is a properly licensed health insurer, health plan, or  
64 health maintenance organization, this subparagraph applies when  
65 only 50 percent of the employees have a family income equal to  
66 or less than 250 percent of the federal poverty level.

67 Section 6. Effective July 1, 2007, section 445.015,  
68 Florida Statutes, is created to read:

69 445.015 Small business health insurance plan grant  
70 program.--

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

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

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99 Senate, and the Speaker of the House of Representatives no later  
100 than February 1.

101 Section 7. Effective July 1, 2007, the sum of \$250,000 in  
102 nonrecurring revenue is appropriated from the General Revenue  
103 Fund to the Agency for Workforce Innovation for the 2007-2008  
104 fiscal year to award Small Business Health Insurance Plan Grants  
105 to eligible businesses.

106 Section 8. Except as otherwise expressly provided in this  
107 act, this act shall take effect January 1, 2008, and shall apply  
108 to identification cards issued for policies or certificates  
109 issued or renewed on or after that date.

110

111 ===== T I T L E A M E N D M E N T =====

112 Remove line(s) 9 and 10 and insert:  
113 maintenance contracts; amending s. 408.909, F.S.; clarifying  
114 licensure provisions for health flex plans; revising criteria  
115 for eligibility for enrollment in a health flex plan; creating  
116 s. 445.015, F.S.; establishing a small business health insurance  
117 plan grant program; providing purposes of the grant program;  
118 providing conditions for use of grant funds; providing duties of  
119 the Agency for Workforce Innovation and the Office of Insurance  
120 Regulation; requiring a report to the Governor and Legislature;  
121 providing an appropriation; providing applicability; providing  
122 effective dates.