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2 An act relating to the Medicaid waiver program for
3 patients who have Alzheimer's disease; amending s.
4 430.502, F.S.; extending the authority to continue the
5 waiver program; requiring the Office of Program Policy
6 Analysis and Government Accountability to conduct a
7 comparative study of Medicaid home and community-based-
8 services waiver programs; requiring that the findings and
9 recommendations be submitted to the Legislature by a
10 specified date; providing an effective date.

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

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14 Section 1. Subsection (9) of section 430.502, Florida
15 Statutes, is amended to read:

16 430.502 Alzheimer's disease; memory disorder clinics and
17 day care and respite care programs.--

18 (9) Authority to continue the waiver program specified in
19 subsection (7) shall be automatically eliminated at the close of
20 the 2010 ~~2008~~ Regular Session of the Legislature unless further
21 legislative action is taken to continue it prior to such time.

22 Section 2. The Office of Program Policy Analysis and
23 Government Accountability shall conduct an evaluation of
24 comparable Medicaid home and community-based-services waiver
25 programs. The office shall consult with the Agency for Health
26 Care Administration, the Department of Elderly Affairs,
27 appropriate substantive and fiscal legislative committees, and
28 other subject matter experts to determine which waiver programs
29 should be included in the evaluation in order to make reasonable

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30 comparisons. The evaluation shall assess whether the waiver
31 programs are more effective at delaying or preventing
32 participants from entering institutional settings and the cost of
33 the waiver programs across groups compared to the regular
34 Medicaid program. The evaluation shall also assess whether
35 specialty home and community-based-services waiver programs are
36 more effective at keeping participants out of institutional
37 settings than the broader home and community-based-services
38 waiver programs and whether there is a difference in Medicaid
39 expenditures per participant on average between specialty and
40 broad waiver programs. The evaluation shall provide a review of
41 the flexibility provided to states by the federal Deficit
42 Reduction Act of 2005 in regard to home and community-based
43 services and recommend whether this flexibility should be used
44 instead of providing these services under the provisions of
45 current Medicaid home and community-based-services waivers. The
46 evaluation's findings and recommendations shall be submitted to
47 the President of the Senate and the Speaker of the House of
48 Representatives by February 1, 2010.

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