

1 A bill to be entitled
 2 An act relating to optional payments for medical
 3 assistance; amending s. 409.904, F.S.; providing for
 4 Medicaid eligibility for certain persons with disabilities
 5 under a Medicaid buy-in program, subject to specific
 6 federal authorization; requiring the Agency for Health
 7 Care Administration to seek amendments to specified
 8 Medicaid waivers for certain persons with disabilities;
 9 providing an effective date.

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

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13 Section 1. Subsection (10) is added to section 409.904,
 14 Florida Statutes, to read:

15 409.904 Optional payments for eligible persons.--The
 16 agency may make payments for medical assistance and related
 17 services on behalf of the following persons who are determined
 18 to be eligible subject to the income, assets, and categorical
 19 eligibility tests set forth in federal and state law. Payment on
 20 behalf of these Medicaid eligible persons is subject to the
 21 availability of moneys and any limitations established by the
 22 General Appropriations Act or chapter 216.

23 (10) Subject to specific federal authorization, a person
 24 who is determined to be disabled and who, but for earnings,
 25 would be considered for receiving supplemental security income;
 26 whose countable earnings, taking into account supplemental
 27 security income earned income disregards, do not exceed 250
 28 percent of the federal poverty level and whose unearned income

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29 does not exceed 88 percent of the most current federal poverty
30 level; who has attained 16 years of age but who is less than 65
31 years of age may be eligible for Medicaid services as part of a
32 Medicaid buy-in program established under s. 409.914(2)
33 specifically designed to accommodate those persons made eligible
34 for such a buy-in by Title II of Pub. L. No. 106-170. A
35 participant in the Medicaid buy-in program must be charged a
36 premium based on a sliding scale once the participant's earned
37 income exceeds 100 percent of the federal poverty level.
38 Additional assets excluded under the supplemental security
39 income program are as follows: cash assets in the amount of
40 \$8,000 for a single individual and \$9,000 for a couple; any
41 retirement account recognized by the Internal Revenue Service;
42 and a second vehicle for a couple.

43 Section 2. The Agency for Health Care Administration shall
44 seek amendments to Medicaid waivers serving persons with
45 disabilities to provide that persons who are eligible for
46 Medicaid under a Medicaid buy-in program authorized under s.
47 409.904(10), Florida Statutes, may be eligible for services
48 under waivers if they otherwise meet the level of care
49 qualifications for services under such a waiver.

50 Section 3. This act shall take effect July 1, 2008.