

1 A bill to be entitled
 2 An act relating to access to health care; creating a
 3 discount health care card pilot program and a discount
 4 health care card plus pilot program in Miami-Dade County;
 5 providing duties of the Department of Health to implement
 6 the programs; providing conditions for provider funding
 7 through the programs; requiring the department to
 8 reimburse hospitals under certain circumstances; requiring
 9 the department to submit an annual report for the duration
 10 of the programs with recommendations to the Governor and
 11 the Legislature; providing sovereign immunity for health
 12 care providers that participate in the programs under
 13 certain circumstances; providing an effective date.

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

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 17 Section 1. Discount health care card pilot program.--

18 (1) The Department of Health shall establish a discount
 19 health care card program as a 3-year pilot program in Miami-Dade
 20 County. To implement the program, the department shall:

21 (a) Establish an alliance between hospitals, federally
 22 qualified health centers, free clinics, and other health care
 23 providers in Miami-Dade County to provide primary care services
 24 at a discount to county residents.

25 (b) Negotiate with hospitals, clinics, and federally
 26 qualified health centers, physicians groups, and other health
 27 care providers regarding rates associated with the discount
 28 health care card program. A hospital may not charge a rate that

29 exceeds 90 percent of the reimbursement allowed by Medicare. If
 30 a provider does not participate in the alliance, the provider
 31 may not file an application for a certificate of need,
 32 participate in the personal care attendant program, or apply for
 33 grants from or enter into contracts with the department.

34 (c) Coordinate service delivery, eliminate duplication,
 35 enhance cooperation, and ensure that individuals establish a
 36 medical home.

37 (d) Make services of the program available to any resident
 38 of Miami-Dade County.

39 (2) Each participant in the program shall have an
 40 electronic medical record. The hospital, clinic, or federally
 41 qualified health center that provides services to the
 42 participant shall be the designated administrator of the
 43 electronic medical record or the department may assign an
 44 administrator.

45 (3) Each January 1, for the duration of the 3-year pilot
 46 program, the department shall submit to the Governor, the
 47 President of the Senate, and the Speaker of the House of
 48 Representatives an annual report on the success and outcomes
 49 achieved by the pilot program, which must include a
 50 recommendation as to whether the pilot program should be
 51 continued, terminated, or expanded.

52 (4) A health care provider that contracts to provide
 53 services to a patient under this program shall be considered an
 54 agent of the state and afforded sovereign immunity protection as
 55 provided under s. 766.1115, Florida Statutes, only when
 56 providing those services to the patient.

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57 Section 2. Discount health care plus card pilot program.--

58 (1) The Department of Health shall establish a discount
59 health care plus card program as a 3-year pilot program in
60 Miami-Dade County. To implement the program, the department
61 shall:

62 (a) Establish an alliance between hospitals, federally
63 qualified health centers, free clinics, and other health care
64 providers in Miami-Dade County to provide primary care services
65 at no charge to county residents whose income is equal to or
66 below 200 percent of the then-current federal poverty
67 guidelines.

68 (b) Coordinate service delivery, eliminate duplication,
69 enhance cooperation, and ensure that individuals establish a
70 medical home.

71 (c) Negotiate with hospitals, clinics, and federally
72 qualified health centers, physicians groups, and other health
73 care providers regarding rates associated with the discount
74 health care plus card program. A hospital may not charge a rate
75 that exceeds 90 percent of the reimbursement allowed by
76 Medicare. If a provider does not participate in the alliance,
77 the provider may not file an application for a certificate of
78 need, participate in the personal care attendant program, or
79 apply for grants from or enter into contracts with the
80 department.

81 (d) Make services of the program available to any resident
82 of Miami-Dade County whose income is equal to or below 200
83 percent of the then-current federal poverty guidelines.

84 (2) The department shall reimburse a hospital

85 participating in the program that incurs additional costs up to
86 25 percent of the costs for health care services that exceed
87 \$20,000 with low-income pool funds according to published
88 federal statutes, regulations, and waivers and the low-income
89 pool methodology approved by the federal Centers for Medicare
90 and Medicaid Services. A participant shall agree to an
91 installment payment plan established by the hospital. If the
92 participant fails to pay the amount agreed upon for 4
93 consecutive months, the participant shall be removed from the
94 program until the unpaid balance is paid.

95 (3) Each participant in the program shall have an
96 electronic medical record. The hospital, clinic, or federally
97 qualified health center that provides services to the
98 participant shall be the designated administrator of the
99 electronic medical record or the department may assign an
100 administrator.

101 (4) Each January 1, for the duration of the 3-year pilot
102 program, the department shall submit to the Governor, the
103 President of the Senate, and the Speaker of the House of
104 Representatives an annual report on the success and outcomes
105 achieved by the pilot program, which must include a
106 recommendation as to whether the pilot program should be
107 continued, terminated, or expanded.

108 (5) A health care provider that contracts to provide
109 services to a patient under this program shall be considered an
110 agent of the state and afforded sovereign immunity protection as
111 provided under s. 766.1115, Florida Statutes, only when
112 providing those services to the patient.

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