

By the Committees on Governmental Operations; Health Policy; and
Senators Garcia and Crist

585-07973-08

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1 A bill to be entitled

2 An act relating to maternal and child health programs;
3 amending s. 409.942, F.S.; requiring the Department of
4 Health to establish an electronic benefits transfer system
5 for the Special Supplemental Nutrition Program for Women,
6 Infants, and Children (WIC); requiring the Department of
7 Children and Family Services to assist the Department of
8 Health in developing the electronic benefits transfer
9 program; requiring the Department of Health to reimburse
10 the Department of Children and Family Services for costs
11 incurred; amending s. 383.011, F.S.; requiring the
12 Department of Health to compare the average cost of
13 certain food items and collect individual food item
14 redemption costs; prohibiting the Department of Health
15 from discontinuing a WIC-eligible generic product;
16 providing an exception; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 409.942, Florida Statutes, is amended
21 to read:

22 409.942 Electronic benefit transfer program.--

23 (1) The Department of Children and Family Services shall
24 establish an electronic benefit transfer program for the
25 dissemination of food stamp benefits and temporary assistance
26 payments, including refugee cash assistance payments, asylum
27 applicant payments, and child support disregard payments. If
28 the Federal Government does not enact legislation or
29 regulations providing for dissemination of supplemental

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30 security income by electronic benefit transfer, the state may
31 include supplemental security income in the electronic benefit
32 transfer program.

33 (a)~~(2)~~ The department shall, in accordance with
34 applicable federal laws and regulations, develop minimum
35 program requirements and other policy initiatives for the
36 electronic benefit transfer program.

37 (b)~~(3)~~ The department shall enter into public-private
38 contracts for all provisions of electronic transfer of public
39 assistance benefits.

40 (2)~~(4)~~ Workforce Florida, Inc., through the Agency for
41 Workforce Innovation, shall establish an electronic benefit
42 transfer program for the use and management of education,
43 training, child care, transportation, and other program
44 benefits under its direction. The workforce electronic benefit
45 transfer program shall fulfill all federal and state
46 requirements for Individual Training Accounts, Retention
47 Incentive Training Accounts, Individual Development Accounts,
48 and Individual Services Accounts. The workforce electronic
49 benefit transfer program shall be designed to enable an
50 individual who receives an electronic benefit transfer card
51 under subsection (1) to use that card for purposes of benefits
52 provided under the workforce development system as well. The
53 Department of Children and Family Services shall assist
54 Workforce Florida, Inc., in developing an electronic benefit
55 transfer program for the workforce development system that is
56 fully compatible with the department's electronic benefit
57 transfer program. The agency shall reimburse the department for
58 all costs incurred in providing such assistance and shall pay

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59 all costs for the development of the workforce electronic
60 benefit transfer program.

61 (3) By July 1, 2010, the Department of Health shall
62 establish a statewide electronic benefit transfer program for the
63 dissemination of benefits under the "Special Supplemental
64 Nutrition Program for Women, Infants, and Children," or WIC,
65 authorized by the Child Nutrition Act of 1966, as amended.

66 (a) The WIC electronic benefit transfer program shall be
67 designed to enable an individual who receives an electronic
68 benefit transfer card under subsections (1) or (2) to use that
69 card for purposes of benefits provided under the WIC program.

70 (b) The Department of Children and Family Services shall
71 assist the Department of Health in developing an electronic
72 benefit transfer program for the WIC program system which is
73 fully compatible with the electronic benefit transfer programs
74 operated by the Department of Children and Family Services and
75 Workforce Florida, Inc. The Department of Health shall reimburse
76 the Department of Children and Family Services for all costs
77 incurred in providing such assistance and shall pay all costs of
78 the development of the WIC electronic benefit transfer program.

79 Section 2. Subsection (3) is added to section 383.011,
80 Florida Statutes, to read:

81 383.011 Administration of maternal and child health
82 programs.--

83 (3) In administering the WIC program, the Department of
84 Health:

85 (a) For purposes of meeting the federal cost neutrality
86 requirement of 7 C.F.R. part 246, shall compare the average cost
87 of each food item redeemed by above-50-percent vendors against

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88 the average cost of the same food item redeemed by regular
89 vendors. The department shall collect individual food item
90 redemption costs by requiring authorized vendors to record the
91 price of each redeemed item on the WIC voucher.

92 (b) Shall not discontinue a WIC-eligible generic product
93 unless the product no longer meets the nutritional guidelines of
94 the WIC program.

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