

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

603-08353-08

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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 submit a plan for the implementation of a
5 electronic benefits transfer program for the dissemination
6 of Women, Infants, and Children (WIC) benefits to the
7 United States Department of Agriculture by a certain date
8 and to establish the program by a certain date; amending
9 s. 383.011, F.S.; requiring the Department of Health to
10 compare the average cost of certain food items and collect
11 individual food item redemption costs; prohibiting the
12 Department of Health from discontinuing a WIC-eligible
13 generic product; providing an exception; requiring that
14 the department expend funds provided by the Federal
15 Government only for administering the program; authorizing
16 the department to submit a budget amendment to the
17 Executive Office of the Governor if the department exceeds
18 the federal funds allocation; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 409.942, Florida Statutes, is amended
23 to read:

24 409.942 Electronic benefit transfer program.--

25 (1) The Department of Children and Family Services shall
26 establish an electronic benefit transfer program for the
27 dissemination of food stamp benefits and temporary assistance
28 payments, including refugee cash assistance payments, asylum
29 applicant payments, and child support disregard payments. If

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30 | the Federal Government does not enact legislation or
31 | regulations providing for dissemination of supplemental
32 | security income by electronic benefit transfer, the state may
33 | include supplemental security income in the electronic benefit
34 | transfer program.

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

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

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

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59 | transfer program. The agency shall reimburse the department for
60 | all costs incurred in providing such assistance and shall pay
61 | all costs for the development of the workforce electronic
62 | benefit transfer program.

63 | (3) The Department of Health shall:

64 | (a) By January 1, 2009, submit a plan for approval by the
65 | United States Department of Agriculture, Bureau of Food and
66 | Nutrition Service, for the implementation of a statewide
67 | electronic benefits transfer program for the dissemination of
68 | benefits under the Special Supplemental Nutrition Program for
69 | Women, Infants, and Children (WIC), authorized by the Child
70 | Nutrition Act. The plan shall be developed in consultation with
71 | WIC vendors, including above-50-percent vendors.

72 | (b) By July 1, 2010, establish a statewide electronic
73 | benefit transfer program for the dissemination of benefits under
74 | the Special Supplemental Nutrition Program for Women, Infants,
75 | and Children (WIC), authorized by the Child Nutrition Act. The
76 | electronic benefit transfer program shall be implemented in
77 | consultation with WIC vendors, including above-50-percent
78 | vendors.

79 | (c) Submit reports to the Speaker of the House and the
80 | President of the Senate as to progress in obtaining federal
81 | approval and establishing a statewide electronic benefit transfer
82 | system by January 1, 2009, and by January 1, 2010.

83 | Section 2. Subsection (3) is added to section 383.011,
84 | Florida Statutes, to read:

85 | 383.011 Administration of maternal and child health
86 | programs.--

87 | (3) In administering the WIC program, the Department of

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88 Health:

89 (a) Upon implementation of an electronic benefit transfer
90 system and for the purposes of meeting the federal cost
91 neutrality requirement of 7 C.F.R. part 246, shall compare the
92 average cost of each food item redeemed by above-50-percent
93 vendors against the average cost of the same food item redeemed
94 by regular vendors.

95 (b) May not discontinue a WIC-eligible generic product
96 unless the product no longer meets the nutritional guidelines of
97 the WIC program.

98 (c) Shall expend funds provided by the Federal Government
99 only for purposes of administering the program. If the department
100 exceeds the allocation of federal funds, the department may
101 submit a budget amendment to the Executive Office of the Governor
102 requesting additional authority to use state trust fund moneys to
103 implement the program pursuant to s. 216.181(11).

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