

By Senator Crist

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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 agency
16 may make payments for medical assistance and related services on
17 behalf of the following persons who are determined to be eligible
18 subject to the income, assets, and categorical eligibility tests
19 set forth in federal and state law. Payment on behalf of these
20 Medicaid eligible persons is subject to the availability of
21 moneys and any limitations established by the General
22 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, would
25 be considered eligible for supplemental security income; whose
26 countable earnings, taking into account supplemental security
27 income and earned income disregards, do not exceed 250 percent of
28 the federal poverty level and whose unearned income does not
29 exceed 88 percent of the most current federal poverty level; and

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30 who has attained 16 years of age but who is younger than 65 years
31 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. Assets
38 excluded, in addition to those excluded under the supplemental
39 security income program, are as follows: cash assets in the
40 amount of \$8,000 for a single individual and \$9,000 for a couple;
41 any retirement account recognized by the Internal Revenue
42 Service; 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 under
48 wavers if they otherwise meet the level of care qualifications
49 for services under such a waiver.

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