

1 A bill to be entitled
 2 An act relating to the Medicaid waiver program for
 3 patients who have Alzheimer's disease; amending s.
 4 430.502, F.S.; extending the authority to continue the
 5 waiver program; requiring the Office of Program Policy
 6 Analysis and Government Accountability to conduct a
 7 comparative study of Medicaid home and community-based
 8 services waiver programs; requiring that the findings and
 9 recommendations be submitted to the Legislature by a
 10 specified date; providing an effective date.

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

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 14 Section 1. Subsection (9) of section 430.502, Florida
 15 Statutes, is amended to read:

16 430.502 Alzheimer's disease; memory disorder clinics and
 17 day care and respite care programs.--

18 (9) Authority to continue the waiver program specified in
 19 subsection (7) shall be automatically eliminated at the close of
 20 the 2010 ~~2008~~ Regular Session of the Legislature unless further
 21 legislative action is taken to continue it prior to such time.

22 Section 2. The Office of Program Policy Analysis and
 23 Government Accountability shall conduct an evaluation of
 24 comparable Medicaid home and community-based services waiver
 25 programs. The office shall consult with the Agency for Health
 26 Care Administration, the Department of Elderly Affairs,
 27 appropriate substantive and appropriations committees of the
 28 Senate and the House of Representatives, and other subject

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29 matter experts to determine which waiver programs should be
30 included in the evaluation in order to make reasonable
31 comparisons. The evaluation shall assess whether the waiver
32 programs are more effective at delaying or preventing
33 participants from entering institutional settings and the cost
34 of the waiver programs across groups compared to the regular
35 Medicaid program. The evaluation shall also assess whether
36 specialty home and community-based services waiver programs are
37 more effective at keeping participants out of institutional
38 settings than the broader home and community-based services
39 waiver programs and whether there is a difference in Medicaid
40 expenditures per participant on average between specialty and
41 broad waiver programs. The evaluation shall provide a review of
42 the flexibility provided to states by the federal Deficit
43 Reduction Act of 2005 in regard to home and community-based
44 services and recommend whether this flexibility should be used
45 instead of providing these services under the provisions of
46 current Medicaid home and community-based services waivers. The
47 evaluation's findings and recommendations shall be submitted to
48 the President of the Senate and the Speaker of the House of
49 Representatives by February 1, 2010.

50 Section 3. This act shall take effect upon becoming a law.