

1 A bill to be entitled
 2 An act relating to the Medicaid low-income pool and
 3 disproportionate share program; amending s. 409.911, F.S.;
 4 repealing the Low-Income Pool Council; requiring that the
 5 Agency for Health Care Administration make recommendations
 6 to the Legislature regarding the financing and
 7 distribution of low-income pool and disproportionate share
 8 funds; requiring the agency to submit recommendations to
 9 the Governor and the Legislature annually; providing an
 10 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 409.911, Florida
 15 Statutes, is amended to read:

16 409.911 Disproportionate share program.--Subject to
 17 specific allocations established within the General
 18 Appropriations Act and any limitations established pursuant to
 19 chapter 216, the agency shall distribute, pursuant to this
 20 section, moneys to hospitals providing a disproportionate share
 21 of Medicaid or charity care services by making quarterly
 22 Medicaid payments as required. Notwithstanding the provisions of
 23 s. 409.915, counties are exempt from contributing toward the
 24 cost of this special reimbursement for hospitals serving a
 25 disproportionate share of low-income patients.

26 (9) The Agency for Health Care Administration shall ~~create~~
 27 ~~a Medicaid Low-Income Pool Council by July 1, 2006. The Low-~~
 28 ~~Income Pool Council shall consist of 17 members, including 3~~

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29 ~~representatives of statutory teaching hospitals, 3~~
30 ~~representatives of public hospitals, 3 representatives of~~
31 ~~nonprofit hospitals, 3 representatives of for-profit hospitals,~~
32 ~~2 representatives of rural hospitals, 2 representatives of units~~
33 ~~of local government which contribute funding, and 1~~
34 ~~representative of family practice teaching hospitals. The~~
35 ~~council shall:~~

36 ~~(a)~~ make recommendations to the Legislature on the
37 financing of the low-income pool and the disproportionate share
38 hospital program and the distribution of their funds to
39 hospitals on the basis of objective and equitable criteria that
40 include consideration of the amount of Medicaid, charity, and
41 uncompensated care provided by hospitals. The agency shall
42 submit its recommendations to the Governor, the President of the
43 Senate, and the Speaker of the House of Representatives no later
44 than February 1 of each year.

45 ~~(b) Advise the Agency for Health Care Administration on~~
46 ~~the development of the low-income pool plan required by the~~
47 ~~federal Centers for Medicare and Medicaid Services pursuant to~~
48 ~~the Medicaid reform waiver.~~

49 ~~(c) Advise the Agency for Health Care Administration on~~
50 ~~the distribution of hospital funds used to adjust inpatient~~
51 ~~hospital rates, rebase rates, or otherwise exempt hospitals from~~
52 ~~reimbursement limits as financed by intergovernmental transfers.~~

53 ~~(d) Submit its findings and recommendations to the~~
54 ~~Governor and the Legislature no later than February 1 of each~~
55 ~~year.~~

56 Section 2. This act shall take effect July 1, 2009.