

CS/HB 285

2009

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 expanding the membership of the Medicaid Low-Income Pool
5 Council; providing for composition of expanded membership;
6 designating a council chair; providing restrictions on
7 specified appointments; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (9) of section 409.911, Florida
12 Statutes, is amended to read:

13 409.911 Disproportionate share program.--Subject to
14 specific allocations established within the General
15 Appropriations Act and any limitations established pursuant to
16 chapter 216, the agency shall distribute, pursuant to this
17 section, moneys to hospitals providing a disproportionate share
18 of Medicaid or charity care services by making quarterly
19 Medicaid payments as required. Notwithstanding the provisions of
20 s. 409.915, counties are exempt from contributing toward the
21 cost of this special reimbursement for hospitals serving a
22 disproportionate share of low-income patients.

23 (9) The Agency for Health Care Administration shall create
24 a Medicaid Low-Income Pool Council by July 1, 2006. The Low-
25 Income Pool Council shall consist of 24 ~~17~~ members, including 2
26 members appointed by the President of the Senate, 2 members
27 appointed by the Speaker of the House of Representatives, 3
28 representatives of statutory teaching hospitals, 3

29 | representatives of public hospitals, 3 representatives of
 30 | nonprofit hospitals, 3 representatives of for-profit hospitals,
 31 | 2 representatives of rural hospitals, 2 representatives of units
 32 | of local government which contribute funding, ~~and~~ 1
 33 | representative of family practice teaching hospitals, 1
 34 | representative of federally qualified health centers, 1
 35 | representative from the Department of Health, and 1 nonvoting
 36 | representative of the Agency for Health Care Administration who
 37 | shall serve as chair of the council. Except for a full-time
 38 | employee of a public entity, an individual who qualifies as a
 39 | lobbyist under s. 11.045 or s. 112.3215 may not serve as a
 40 | member of the council. Of the members appointed by the Senate
 41 | President, only one shall be a physician. Of the members
 42 | appointed by the Speaker of the House of Representatives, only
 43 | one shall be a physician. The physician member appointed by the
 44 | Senate President and the physician member appointed by the
 45 | Speaker of the House of Representatives must be physicians who
 46 | routinely take calls in a trauma center, as defined in s.
 47 | 395.4001, or a hospital emergency department. The council shall:

48 | (a) Make recommendations on the financing of the low-
 49 | income pool and the disproportionate share hospital program and
 50 | the distribution of their funds.

51 | (b) Advise the Agency for Health Care Administration on
 52 | the development of the low-income pool plan required by the
 53 | federal Centers for Medicare and Medicaid Services pursuant to
 54 | the Medicaid reform waiver.

55 | (c) Advise the Agency for Health Care Administration on
 56 | the distribution of hospital funds used to adjust inpatient

CS/HB 285

2009

57 | hospital rates, rebase rates, or otherwise exempt hospitals from
58 | reimbursement limits as financed by intergovernmental transfers.

59 | (d) Submit its findings and recommendations to the
60 | Governor and the Legislature no later than February 1 of each
61 | year.

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