

ENROLLED  
CS/HB 285

2009 Legislature

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

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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

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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.