

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
 16 agency may make payments for medical assistance and related
 17 services on behalf of the following persons who are determined
 18 to be eligible subject to the income, assets, and categorical
 19 eligibility tests set forth in federal and state law. Payment on
 20 behalf of these Medicaid eligible persons is subject to the
 21 availability of moneys and any limitations established by the
 22 General Appropriations Act or chapter 216.

23 (10) Subject to federal authorization, a person who is
 24 determined to be disabled and who, but for earnings, would be
 25 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
 28 of the federal poverty level and whose unearned income does not

29 exceed 88 percent of the most current federal poverty level; and
30 who has attained 16 years of age but is younger than 65 years of
31 age may be eligible for Medicaid services as part of a Medicaid
32 buy-in program specifically designed to accommodate those
33 persons made eligible for a buy-in by Title II of Pub. L. No.
34 106-170. A participant in the Medicaid buy-in program shall be
35 charged a premium based on a sliding scale once the
36 participant's earned income exceeds 100 percent of the federal
37 poverty level. Assets excluded, in addition to those excluded
38 under the supplemental security income program, are as follows:
39 cash assets in the amount of \$10,000 for a single individual and
40 \$12,000 for a couple, any retirement account recognized by the
41 Internal Revenue Service, and a second vehicle for a couple.

42 Section 2. The Agency for Health Care Administration shall
43 seek amendments to Medicaid waivers serving persons with
44 disabilities to provide that persons who are eligible for
45 Medicaid under a Medicaid buy-in program authorized under s.
46 409.904(10), Florida Statutes, may be eligible for services
47 under waivers if they otherwise meet the level of care
48 qualifications for services under such waiver.

49 Section 3. This act shall take effect July 1, 2009.