

By Senator Gaetz

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

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

25 (9) By February 1 of each year, the Agency for Health Care
26 Administration shall make and submit recommendations to the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives regarding the financing of the low-
29 income pool plan and the disproportionate share program and the

4-00515-09

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30 distribution of those funds to hospitals on the basis of
31 objective and equitable criteria, including consideration of the
32 amount of Medicaid, charity, and uncompensated care provided by
33 hospitals. ~~The Agency for Health Care Administration shall~~
34 ~~create a Medicaid Low-Income Pool Council by July 1, 2006. The~~
35 ~~Low-Income Pool Council shall consist of 17 members, including 3~~
36 ~~representatives of statutory teaching hospitals, 3~~
37 ~~representatives of public hospitals, 3 representatives of~~
38 ~~nonprofit hospitals, 3 representatives of for-profit hospitals,~~
39 ~~2 representatives of rural hospitals, 2 representatives of units~~
40 ~~of local government which contribute funding, and 1~~
41 ~~representative of family practice teaching hospitals. The~~
42 ~~council shall:~~

43 ~~(a) Make recommendations on the financing of the low-income~~
44 ~~pool and the disproportionate share hospital program and the~~
45 ~~distribution of their funds.~~

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

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

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

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