

By the Committee on Health Regulation; and Senators Gaetz, Bennett, Detert, Dean, Wise, Smith, Fasano, Altman, Siplin, Garcia, Pruitt, Lawson, Haridopolos, Lynn, and Baker

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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.; increasing the number of members of the
4 Low-Income Pool Council; providing membership
5 criteria; providing an effective date.
6

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

11 409.911 Disproportionate share program.—Subject to specific
12 allocations established within the General Appropriations Act
13 and any limitations established pursuant to chapter 216, the
14 agency shall distribute, pursuant to this section, moneys to
15 hospitals providing a disproportionate share of Medicaid or
16 charity care services by making quarterly Medicaid payments as
17 required. Notwithstanding the provisions of s. 409.915, counties
18 are exempt from contributing toward the cost of this special
19 reimbursement for hospitals serving a disproportionate share of
20 low-income patients.

21 (9) The Agency for Health Care Administration shall create
22 a Medicaid Low-Income Pool Council by July 1, 2006. The Low-
23 Income Pool Council shall consist of 24 ~~17~~ members, including 3
24 members appointed by the President of the Senate, 3 members
25 appointed by the Speaker of the House of Representatives, 3
26 representatives of statutory teaching hospitals, 3
27 representatives of public hospitals, 3 representatives of
28 nonprofit hospitals, 3 representatives of for-profit hospitals,
29 2 representatives of rural hospitals, 2 representatives of units

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30 of local government which contribute funding, ~~and 1~~
31 representative of family practice teaching hospitals, and 1
32 nonvoting representative of the Agency for Health Care
33 Administration, who shall serve as chair of the council. No
34 member of the council shall be subject to s. 11.045 or s.
35 112.3215, unless the member is also a full-time employee of a
36 public entity. Of the members appointed by the Senate President,
37 one and only one must be a physician. Of the members appointed
38 by the Speaker of the House of Representatives, one and only one
39 must be a physician. None of the legislative appointees may be
40 employed by any entity receiving funds from the low-income pool.

41 The council shall:

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

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

49 (c) Advise the Agency for Health Care Administration on the
50 distribution of hospital funds used to adjust inpatient hospital
51 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 Governor
54 and the Legislature no later than February 1 of each year.

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