

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

576-04524-09

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

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (9) of section 409.911, Florida
13 Statutes, is amended to read:

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

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

576-04524-09

2009556c2

30 representatives of public hospitals, 3 representatives of
31 nonprofit hospitals, 3 representatives of for-profit hospitals,
32 2 representatives of rural hospitals, 2 representatives of units
33 of local government which contribute funding, ~~and~~ 1
34 representative of family practice teaching hospitals, 1
35 representative of federally qualified health centers, 1
36 representative from the Department of Health, and 1 nonvoting
37 representative of the Agency for Health Care Administration who
38 shall serve as chair of the council. Except for a full-time
39 employee of a public entity, an individual who qualifies as a
40 lobbyist under s. 11.045 or s. 112.3215 may not serve as a
41 member of the council. Of the members appointed by the President
42 of the Senate, only one shall be a physician. Of the members
43 appointed by the Speaker of the House of Representatives, only
44 one shall be a physician. The physician member appointed by the
45 President of the Senate and the physician member appointed by
46 the Speaker of the House of Representatives must be physicians
47 who routinely take calls in a trauma center, as defined in s.
48 395.4001, or a hospital emergency department. The council shall:

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

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

56 (c) Advise the Agency for Health Care Administration on the
57 distribution of hospital funds used to adjust inpatient hospital
58 rates, rebase rates, or otherwise exempt hospitals from

576-04524-09

2009556c2

59 reimbursement limits as financed by intergovernmental transfers.

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

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