



299154

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2010	.	
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The Policy and Steering Committee on Ways and Means (Sobel) recommended the following:

Senate Amendment (with title amendment)

Between lines 1089 and 1090
insert:

Section 4. Paragraph (m) is added to subsection (2) of section 409.9122, Florida Statutes, to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(m)1. Time allotted pursuant to this subsection to any Medicaid recipient for the selection of, enrollment in, or disenrollment from a managed care plan or MediPass is tolled



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13 throughout any month in which the enrollment broker or choice
14 counseling provider, whichever is applicable, has adversely
15 affected a beneficiary's ability to access choice counseling or
16 enrollment broker services by its failure to comply with the
17 terms and conditions of its contract or has otherwise acted or
18 failed to act in a manner that the agency deems likely to
19 jeopardize its ability to perform its assigned responsibilities
20 as set forth in paragraphs (c) and (d). During any month in
21 which time is tolled for a recipient, he or she must be afforded
22 uninterrupted access to benefits and services in the same
23 delivery system available prior to such tolling.

24 2. The agency shall incorporate into all pertinent
25 contracts that are executed or renewed on or after July 1, 2010,
26 provisions authorizing and requiring the agency to impose
27 sanctions or fines against an enrollment broker or choice
28 counselor if a recipient is adversely affected due to any action
29 or failure to act on the part of the enrollment broker or choice
30 counselor.

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 36

35 and insert:

36 providing that time allotted to any Medicaid recipient
37 for the selection of, enrollment in, or disenrollment
38 from a managed care plan or MediPass is tolled
39 throughout any month in which the enrollment broker or
40 choice counseling provider adversely affects a
41 beneficiary's ability to access choice counseling or



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42 enrollment broker services by its failure to comply
43 with the terms and conditions of its contract with the
44 agency or has otherwise acted or failed to act in a
45 manner that the agency deems likely to jeopardize its
46 ability to perform certain assigned responsibilities;
47 requiring the agency to incorporate certain provisions
48 after a specified date in its contracts related to
49 sanctions or fines for any action or the failure to
50 act on the part of an enrollment broker or choice
51 counselor provider; providing an effective date.