

1 A bill to be entitled
 2 An act relating to the Medicaid rural county pilot
 3 project; creating s. 409.91212, F.S.; authorizing the
 4 Agency for Health Care Administration to seek a Medicaid
 5 pilot project waiver; creating a Medicaid rural county
 6 pilot project; providing definitions; providing duties and
 7 responsibilities of the agency and the boards of county
 8 commissioners with respect to implementing the project;
 9 providing requirements for county contracts with home
 10 maintenance organizations; authorizing the board of county
 11 commissioners of a rural county participating in the pilot
 12 project to consult with the agency regarding
 13 implementation of the project; authorizing the agency to
 14 adopt rules to implement the project; requiring the agency
 15 to submit a report to the Legislature; providing
 16 conditions under which a rural county may provide health
 17 care if a federal health reform plan is adopted; providing
 18 an effective date.

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

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 22 Section 1. Section 409.91212, Florida Statutes, is created
 23 to read:

24 409.91212 Medicaid rural county pilot project.-
 25 (1) The Agency for Health Care Administration is
 26 authorized to seek a Medicaid waiver, pursuant to s. 1115 of the
 27 Social Security Act, to implement a 5-year pilot project to
 28 improve access to health care in each of the rural counties in

29 this state. For the purposes of this section, the term "rural
 30 county" means a county having a population of fewer than 95,000
 31 residents.

32 (2) The agency shall implement a pilot program that:

33 (a) Includes Medicaid eligibility categories specified in
 34 ss. 409.903 and 409.904, as authorized in an approved federal
 35 waiver. Once approved, this waiver shall replace the current
 36 Medicaid reform waiver for a county having a population of fewer
 37 than 95,000 residents.

38 (b) Delivers all mandatory services specified in s.
 39 409.905 and optional services specified in s. 409.906, as
 40 approved by the Centers for Medicare and Medicaid Services and
 41 the Legislature in the waiver pursuant to this section. Services
 42 to recipients under plan benefits shall include emergency
 43 services provided under s. 409.9128.

44 (c) Permits a pharmacy licensed by the state in a rural
 45 county to purchase drugs at the same price as a federally
 46 qualified health center that serves Medicaid recipients who
 47 reside in that county. The agency shall work with independent
 48 retail pharmacies and the Florida Pharmacy Association to
 49 develop criteria and eligibility for access to the preferred
 50 pricing for drugs sold to Medicaid and Medicare Part D plan
 51 participants.

52 (3) The agency shall award contracts in each participating
 53 county for a term of not less than 3 years and not more than 5
 54 years. In each county where a health maintenance organization is
 55 the successful bidder, the contract shall:

56 (a) Include requirements for the health maintenance

57 organization to make investments in the community-based care
58 infrastructure, help develop and implement training on best
59 practices so as to improve home care, and develop the skills of
60 nonlicensed caregivers that are critical to controlling costs.

61 (b) Incorporate the medical home model as a method for
62 managing care.

63 (c) Include hospital, pharmacy, mental health,
64 transportation, and specialty care.

65 (d) Include risk-adjusted rates to ensure the adequate
66 provision of care to individuals considered to be a higher risk
67 or part of an adversely affected subgroup, such as adults with
68 chronic mental illness or persons with HIV.

69 (e) Include incentives for the development of innovation
70 and require the development of provider systems located in the
71 rural counties.

72 (f) Include requirements for the development of local or
73 regional electronic health records, pursuant to the Florida
74 Electronic Health Records Exchange Act as provided in s.
75 408.051, for all health care providers.

76 (g) Demonstrate cost savings.

77 (h) Require the health maintenance organization to provide
78 the collected encounter data to the local health authority
79 advisory board and post the data on the county's website for
80 public review.

81 (i) Establish a toll-free complaint line, the number of
82 which shall be distributed to enrolled members.

83 (j) Provide for a process that permits the health
84 maintenance organization or the agency, in consultation with the

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85 board of county commissioners, to terminate the contract.

86 (k) Provide incentives to encourage the use of downward
87 substitution of services as a means of offering comparable
88 services at a lower cost and invest in innovative and promising
89 practices to reduce the cost of and expand access to health care
90 and improve customer satisfaction. For purposes of this section,
91 the term "downward substitution" means the use of less
92 restrictive, lower cost, and medically appropriate services
93 provided as an alternative to higher cost state plan services.

94 (4) At the discretion of its board of county
95 commissioners, a rural county may participate in or decline to
96 participate in the pilot project. The board of county
97 commissioners of a county that chooses to participate in the
98 pilot project is authorized to:

99 (a) Develop, in consultation with the agency, a single-
100 source request for proposal for the provision of all Medicaid
101 services in each county.

102 (b) Collaborate with boards of county commissioners in
103 other rural counties to create a regional request for proposal
104 for the provision of Medicaid services if that collaboration
105 would improve access to health care.

106 (c) Establish, in consultation with the agency, a local
107 health advisory council the functions of which are to review
108 encounter data; review network adequacy for local impact; offer
109 recommendations for improving access to health care; accept and
110 process consumer complaints; keep minutes of each meeting of the
111 council, which shall be subject to the provisions of chapter
112 119; and conduct monthly meetings and workshops that are open to

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113 the public in accordance with the provisions of chapter 286. The
114 board of county commissioners shall appoint the members of the
115 council, which shall include a representative of the agency as a
116 nonvoting member.

117 (5) Upon review and approval of the applications for
118 waivers of applicable federal laws and regulations to implement
119 the managed care pilot program by the Legislature, the agency
120 may initiate adoption of rules pursuant to ss. 120.536(1) and
121 120.54 to implement and administer the managed care pilot
122 program as provided in this section.

123 (6) The agency shall submit a report on the progress of
124 the pilot project to the President of the Senate and the Speaker
125 of the House of Representatives by February 1, 2011.

126 Section 2. If a federal health reform plan is adopted, a
127 rural county health care plan is authorized to provide health
128 care as a state option, and any waiver sought under s.
129 409.91212, Florida Statutes, shall permit the state to exercise
130 flexibility regarding access to cost-effective health care in
131 rural counties, as defined in s. 409.91212, Florida Statutes.

132 Section 3. This act shall take effect July 1, 2010.