



160396

LEGISLATIVE ACTION

| Senate | . | House |
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Senator Bogdanoff moved the following:

Senate Amendment (with title amendment)

Between lines 2681 and 2682
insert:

Section 72. Section 409.9021, Florida Statutes, is amended
to read:

409.9021 Conditions for Medicaid ~~Forfeiture of eligibility~~
~~agreement.~~—

(1) As a condition of Medicaid eligibility, subject to
federal approval, a Medicaid applicant shall agree in writing to
forfeit all entitlements to any goods or services provided
through the Medicaid program if he or she has been found to have
committed fraud, through judicial or administrative



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14 determination, two times in a period of 5 years. This provision
15 applies only to the Medicaid recipient found to have committed
16 or participated in the fraud and does not apply to any family
17 member of the recipient who was not involved in the fraud.

18 (2) A person who is eligible for Medicaid services and who
19 has access to health care coverage through an employer-sponsored
20 health plan shall use Medicaid financial assistance to pay the
21 cost of premiums for the employer-sponsored health plan for the
22 eligible person and his or her Medicaid-eligible family members.

23 (3) A Medicaid recipient who has access to other insurance
24 or coverage created pursuant to state or federal law may opt out
25 of the Medicaid services provided under s. 409.908, s. 409.912,
26 or s. 409.986 and use Medicaid financial assistance to pay the
27 cost of premiums for the recipient and the recipient's Medicaid-
28 eligible family members.

29 (4) Subsections (2) and (3) shall be administered by the
30 agency in accordance with s. 409.964(1)(j). The maximum amount
31 available for the Medicaid financial assistance shall be
32 calculated based on the Medicaid capitated rate as if the
33 Medicaid recipient and the recipient's eligible family members
34 participated in a qualified plan for Medicaid managed care under
35 this chapter.

36
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 Delete line 215

40 and insert:

41 the optional state supplementation program; amending
42 s. 409.9021, F.S.; revising provisions relating to



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43 conditions for Medicaid eligibility; requiring that a
44 recipient who has access to employer-sponsored health
45 care use Medicaid financial assistance to pay the cost
46 of premiums for the employer-sponsored health plan for
47 the eligible person and his or her Medicaid-eligible
48 family members; requiring the agency to develop a
49 process to allow the Medicaid premium that would have
50 been received to be used to pay employer premiums;
51 requiring that the agency allow opt-out opportunities
52 for certain recipients; amending s.