



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1E/AD/2R	.	Floor: RC
05/06/2011 06:51 PM	.	05/06/2011 10:47 PM
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Senator Bogdanoff moved the following:

1           **Senate Amendment to Amendment (258560) (with title**  
2 **amendment)**

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4           Between lines 2362 and 2363  
5 insert:

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

8           409.9021 Conditions for Medicaid ~~Forfeiture of eligibility~~  
9 ~~agreement.~~—

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



364520

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

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

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

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

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

39 And the title is amended as follows:

40 Delete line 4889

41 and insert:

42 the optional state supplementation program; amending



364520

43 s. 409.9021, F.S.; revising provisions relating to  
44 conditions for Medicaid eligibility; requiring that a  
45 recipient who has access to employer-sponsored health  
46 care use Medicaid financial assistance to pay the cost  
47 of premiums for the employer-sponsored health plan for  
48 the eligible person and his or her Medicaid-eligible  
49 family members; requiring the agency to develop a  
50 process to allow the Medicaid premium that would have  
51 been received to be used to pay employer premiums;  
52 requiring that the agency allow opt-out opportunities  
53 for certain recipients; amending s.