



701714

LEGISLATIVE ACTION

Senate	.	House
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The Committee on Budget (Bogdanoff) recommended the following:

Senate Amendment (with title amendment)

Between lines 2601 and 2602
insert:

Section 71. 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 may not receive Medicaid services reimbursed under
21 s. 409.908, s. 409.912, or s. 409.986, but may use Medicaid
22 financial assistance to pay the cost of premiums for the
23 employer-sponsored health plan for the eligible person and his
24 or her Medicaid-eligible family members.

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

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

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40 ===== T I T L E A M E N D M E N T =====

41 And the title is amended as follows:

42 Delete line 230



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43 and insert:
44 certain circumstances; amending s. 409.9021, F.S.;
45 revising provisions relating to conditions for
46 Medicaid eligibility; prohibiting a recipient who has
47 access to employer-sponsored health care from
48 obtaining services reimbursed through the Medicaid
49 fee-for-service system; requiring the agency to
50 develop a process to allow the Medicaid premium that
51 would have been received to be used to pay employer
52 premiums; requiring that the agency allow opt-out
53 opportunities for certain recipients; amending s.
54 409.91196, F.S.;