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LEGISLATIVE ACTION

Senate

House

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Floor: 2/AD/2R

04/06/2011 07:12 PM

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Senator Rich moved the following:

**Senate Amendment (with title amendment)**

Between lines 1060 and 1061

insert:

Section 56. Effective July 1, 2011, and notwithstanding s. 409.814(4)(a), Florida Statutes, a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida KidCare program if the child is otherwise eligible.

Section 57. Subsection (4) of section 409.814, Florida Statutes, is amended to read:



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14           409.814 Eligibility.—A child who has not reached 19 years  
15 of age whose family income is equal to or below 200 percent of  
16 the federal poverty level is eligible for the Florida Kidcare  
17 program as provided in this section. For enrollment in the  
18 Children’s Medical Services Network, a complete application  
19 includes the medical or behavioral health screening. If,  
20 subsequently, an individual is determined to be ineligible for  
21 coverage, he or she must immediately be disenrolled from the  
22 respective Florida Kidcare program component.

23           (4) The following children are not eligible to receive  
24 Title XXI-funded premium assistance for health benefits coverage  
25 under the Florida Kidcare program, except under Medicaid if the  
26 child would have been eligible for Medicaid under s. 409.903 or  
27 s. 409.904 as of June 1, 1997:

28           ~~(a) A child who is eligible for coverage under a state~~  
29 ~~health benefit plan on the basis of a family member’s employment~~  
30 ~~with a public agency in the state.~~

31           (a) ~~(b)~~ A child who is covered under a family member’s group  
32 health benefit plan or under other private or employer health  
33 insurance coverage, if the cost of the child’s participation is  
34 not greater than 5 percent of the family’s income. If a child is  
35 otherwise eligible for a subsidy under the Florida Kidcare  
36 program and the cost of the child’s participation in the family  
37 member’s health insurance benefit plan is greater than 5 percent  
38 of the family’s income, the child may enroll in the appropriate  
39 subsidized Kidcare program.

40           (b) ~~(c)~~ A child who is seeking premium assistance for the  
41 Florida Kidcare program through employer-sponsored group  
42 coverage, if the child has been covered by the same employer’s



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43 group coverage during the 60 days prior to the family's  
44 submitting an application for determination of eligibility under  
45 the program.

46 (c)~~(d)~~ A child who is an alien, but who does not meet the  
47 definition of qualified alien, in the United States.

48 (d)~~(e)~~ A child who is an inmate of a public institution or  
49 a patient in an institution for mental diseases.

50 (e)~~(f)~~ A child who is otherwise eligible for premium  
51 assistance for the Florida Kidcare program and has had his or  
52 her coverage in an employer-sponsored or private health benefit  
53 plan voluntarily canceled in the last 60 days, except those  
54 children whose coverage was voluntarily canceled for good cause,  
55 including, but not limited to, the following circumstances:

56 1. The cost of participation in an employer-sponsored  
57 health benefit plan is greater than 5 percent of the family's  
58 income;

59 2. The parent lost a job that provided an employer-  
60 sponsored health benefit plan for children;

61 3. The parent who had health benefits coverage for the  
62 child is deceased;

63 4. The child has a medical condition that, without medical  
64 care, would cause serious disability, loss of function, or  
65 death;

66 5. The employer of the parent canceled health benefits  
67 coverage for children;

68 6. The child's health benefits coverage ended because the  
69 child reached the maximum lifetime coverage amount;

70 7. The child has exhausted coverage under a COBRA  
71 continuation provision;



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72           8. The health benefits coverage does not cover the child's  
73 health care needs; or

74           9. Domestic violence led to loss of coverage.

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

77 And the title is amended as follows:

78           Delete line 164

79 and insert:

80           Donations Trust Fund; providing that a child who is  
81 eligible for coverage under a state health benefit  
82 plan on the basis of a family member's employment with  
83 a public agency in the state is eligible to  
84 participate in and receive Title XXI-funded coverage  
85 from the Florida KidCare program if the child is  
86 otherwise eligible; amending s. 409.814, F.S.;

87           deleting a provision that prohibits a child who is  
88 eligible for coverage under a state health benefit  
89 plan on the basis of a family member's employment with  
90 a public agency in the state from receiving Title XXI-  
91 funded premium assistance for health benefits coverage  
92 under the Florida Kidcare program; providing for the  
93 effect of a