

By Senator Sobel

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1                   A bill to be entitled  
2       An act relating to the Florida Kidcare program;  
3       amending s. 570.981, F.S.; requiring that each school  
4       district collaborate with the Florida Kidcare program  
5       by providing application information about the Kidcare  
6       program or an application for the program at the  
7       beginning of each school year; requiring that each  
8       school district modify the application form for lunch  
9       and breakfast programs to allow the district to share  
10      the data on the application form with state agencies  
11      and the Florida Healthy Kids Corporation and its  
12      agents; authorizing each school district the option to  
13      share the data electronically; requiring interagency  
14      agreements to ensure that the data exchanged is  
15      protected from unauthorized disclosure and is used  
16      only for enrollment in the Florida Kidcare program;  
17      amending s. 624.91, F.S.; requiring that the Florida  
18      Healthy Kids Corporation include, in the corporation's  
19      plan to publicize the Florida Kidcare program, the use  
20      of the application form for school breakfast and lunch  
21      programs; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Subsection (7) is added to section 570.981,  
26       Florida Statutes, as transferred, renumbered, and amended by  
27       section 5 of chapter 2011-217, Laws of Florida, to read:

28       570.981 School food service programs.—

29       (7) Each school district shall collaborate with the Florida

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30 Kidcare program created pursuant to ss. 409.810-409.821 to:

31 (a) At a minimum:

32 1. Provide application information about the Florida  
33 Kidcare program or an application for Kidcare to students at the  
34 beginning of each school year.

35 2. Modify the school district's application form for the  
36 lunch program under subsection (4) and the breakfast program  
37 under subsection (5) to incorporate a provision that allows the  
38 school district to share data from the application form with the  
39 state agencies and the Florida Healthy Kids Corporation and its  
40 agents that administer the Florida Kidcare program unless the  
41 child's parent or guardian opts out of the provision.

42 (b) At the option of the school district, share income and  
43 other demographic data through an electronic interchange with  
44 the state agencies and the Florida Healthy Kids Corporation and  
45 its agents in order to determine eligibility for the Florida  
46 Kidcare program on a regular and periodic basis.

47 (c) Establish interagency agreements ensuring that data  
48 exchanged under this subsection is used only to enroll eligible  
49 children in the Florida Kidcare program and is protected from  
50 unauthorized disclosure pursuant to 42 U.S.C. s. 1758(b)(6).

51 Section 2. Paragraph (b) of subsection (5) of section  
52 624.91, Florida Statutes, is amended to read:

53 624.91 The Florida Healthy Kids Corporation Act.—

54 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

55 (b) The Florida Healthy Kids Corporation shall:

56 1. Arrange for the collection of any family ~~or~~ local  
57 contribution ~~contributions~~, or employer payment or premium, in  
58 an amount to be determined by the board of directors, to provide

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59 for payment of premiums for comprehensive insurance coverage and  
60 for the actual or estimated administrative expenses.

61 2. Arrange for the collection of any voluntary contribution  
62 ~~contributions to provide~~ for payment of Florida Kidcare program  
63 premiums for children who are not eligible for medical  
64 assistance under Title XIX or Title XXI of the Social Security  
65 Act.

66 3. Subject to ~~the provisions of~~ s. 409.8134, accept  
67 voluntary supplemental local matching ~~match~~ contributions that  
68 comply with ~~the requirements of~~ Title XXI of the Social Security  
69 Act for the purpose of providing additional Florida Kidcare  
70 coverage in contributing counties under Title XXI.

71 4. Establish the administrative and accounting procedures  
72 for the operation of the corporation.

73 5. Establish, with consultation from appropriate  
74 professional organizations, standards for preventive health  
75 services and providers and comprehensive insurance benefits  
76 appropriate to children if, ~~provided that~~ such standards for  
77 rural areas do ~~shall~~ not limit primary care providers to board-  
78 certified pediatricians.

79 6. Determine eligibility for children seeking to  
80 participate in the Title XXI-funded components of the Florida  
81 Kidcare program consistent with the requirements specified in s.  
82 409.814, as well as the non-Title-XXI-eligible children as  
83 provided in subsection (3).

84 7. Establish procedures under which providers of local  
85 matching contributions ~~match~~ to, applicants to, and participants  
86 in the program may have grievances reviewed by an impartial body  
87 and reported to the board of directors of the corporation.

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88           8. Establish participation criteria and, if appropriate,  
89 contract with an authorized insurer, health maintenance  
90 organization, or third-party administrator to provide  
91 administrative services to the corporation.

92           9. Establish enrollment criteria that include penalties or  
93 30-day waiting periods ~~of 30 days~~ for reinstatement of coverage  
94 upon voluntary cancellation for nonpayment of family premiums.

95           10. Contract with authorized insurers or providers ~~any~~  
96 ~~provider~~ of health care services who meet, ~~meeting~~ standards  
97 established by the corporation, for the provision of  
98 comprehensive insurance coverage to participants. Such standards  
99 must ~~shall~~ include criteria under which the corporation may  
100 contract with more than one provider of health care services in  
101 program sites. Health plans shall be selected through a  
102 competitive bid process. The Florida Healthy Kids Corporation  
103 shall purchase goods and services in the most cost-effective  
104 manner consistent with the delivery of quality medical care. The  
105 maximum administrative cost for a Florida Healthy Kids  
106 Corporation contract is ~~shall be~~ 15 percent. For health care  
107 contracts, the minimum medical loss ratio for a Florida Healthy  
108 Kids Corporation contract is ~~shall be~~ 85 percent. For dental  
109 contracts, the remaining compensation to be paid to the  
110 authorized insurer or provider must be at least ~~under a Florida~~  
111 ~~Healthy Kids Corporation contract shall be no less than an~~  
112 ~~amount which is~~ 85 percent of the premium, and, ~~+~~ to the extent  
113 any contract provision does not provide for this minimum  
114 compensation, this section prevails ~~shall prevail~~. The health  
115 plan selection criteria and scoring system, and the scoring  
116 results, shall be available upon request for inspection after

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117 the bids have been awarded.

118 11. Establish disenrollment criteria if ~~in the event~~ local  
119 matching funds are insufficient to cover enrollments.

120 12. Develop and implement a plan to publicize the Florida  
121 Kidcare program, the eligibility requirements of the program,  
122 and the procedures for enrollment in the program and to maintain  
123 public awareness of the corporation and the program. The plan  
124 must include using the application form for the school lunch and  
125 breakfast programs as provided under s. 570.981(7).

126 13. Secure staff necessary to properly administer the  
127 corporation. Staff costs shall be funded from state and local  
128 matching funds and such other private or public funds as become  
129 available. The board of directors shall determine the number of  
130 staff members necessary to administer the corporation.

131 14. In consultation with the partner agencies, provide an  
132 annual ~~a~~ report on the Florida Kidcare program ~~annually~~ to the  
133 Governor, the Chief Financial Officer, the Commissioner of  
134 Education, the President of the Senate, the Speaker of the House  
135 of Representatives, and the Minority Leaders of the Senate and  
136 the House of Representatives.

137 15. Provide information ~~on a quarterly basis~~ to the  
138 Legislature and the Governor which compares the costs and  
139 utilization of the full-pay enrolled population and the Title  
140 XXI-subsidized enrolled population in the Florida Kidcare  
141 program. ~~The information,~~ At a minimum, the information must  
142 include:

143 a. The monthly enrollment and expenditure for the full-pay  
144 enrollees in the Medikids and Florida Healthy Kids programs  
145 compared to the Title XXI-subsidized enrolled population; and

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146           b. The costs and utilization by service of the full-pay  
147 enrollees in the Medikids and Florida Healthy Kids programs and  
148 the Title XXI-subsidized enrolled population.

149  
150 ~~By February 1, 2010, the Florida Healthy Kids Corporation shall~~  
151 ~~provide a study to the Legislature and the Governor on premium~~  
152 ~~impacts to the subsidized portion of the program from the~~  
153 ~~inclusion of the full-pay program, which shall include~~  
154 ~~recommendations on how to eliminate or mitigate possible impacts~~  
155 ~~to the subsidized premiums.~~

156           16. Establish benefit packages that conform to ~~the~~  
157 ~~provisions of the Florida Kidcare program, as created in ss.~~  
158 409.810-409.821.

159           Section 3. This act shall take effect July 1, 2012.