

By Senator Garcia

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1 A bill to be entitled
2 An act relating to the Florida Kidcare program;
3 amending s. 409.814, F.S.; deleting a provision
4 preventing children who do not meet the definition of
5 a qualified alien from participating in the program;
6 providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (4) of section 409.814, Florida
11 Statutes, is amended to read:

12 409.814 Eligibility.—A child who has not reached 19 years
13 of age whose family income is equal to or below 200 percent of
14 the federal poverty level is eligible for the Florida Kidcare
15 program as provided in this section. For enrollment in the
16 Children's Medical Services Network, a complete application
17 includes the medical or behavioral health screening. If,
18 subsequently, an individual is determined to be ineligible for
19 coverage, he or she must immediately be disenrolled from the
20 respective Florida Kidcare program component.

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

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

29 (b) A child who is covered under a family member's group

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30 health benefit plan or under other private or employer health
31 insurance coverage, if the cost of the child's participation is
32 not greater than 5 percent of the family's income. If a child is
33 otherwise eligible for a subsidy under the Florida Kidcare
34 program and the cost of the child's participation in the family
35 member's health insurance benefit plan is greater than 5 percent
36 of the family's income, the child may enroll in the appropriate
37 subsidized Kidcare program.

38 (c) A child who is seeking premium assistance for the
39 Florida Kidcare program through employer-sponsored group
40 coverage, if the child has been covered by the same employer's
41 group coverage during the 60 days before the family submitted
42 ~~prior to the family's submitting~~ an application for
43 determination of eligibility under the program.

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

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

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

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

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

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- 59 3. The parent who had health benefits coverage for the
60 child is deceased;
- 61 4. The child has a medical condition that, without medical
62 care, would cause serious disability, loss of function, or
63 death;
- 64 5. The employer of the parent canceled health benefits
65 coverage for children;
- 66 6. The child's health benefits coverage ended because the
67 child reached the maximum lifetime coverage amount;
- 68 7. The child has exhausted coverage under a COBRA
69 continuation provision;
- 70 8. The health benefits coverage does not cover the child's
71 health care needs; or
- 72 9. Domestic violence led to loss of coverage.
- 73 Section 2. This act shall take effect July 1, 2012.