

By Senator Flores

37-01238-14

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1 A bill to be entitled
2 An act relating to optional medical payments for
3 prenatal care; amending s. 409.903, F.S.; revising
4 eligibility criteria for a pregnant woman to qualify
5 for medical assistance payments; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Section 409.903, Florida Statutes, is amended to
11 read:

12 409.903 Mandatory payments for eligible persons.—The agency
13 shall make payments for medical assistance and related services
14 on behalf of the following persons who the department, or the
15 Social Security Administration by contract with the Department
16 of Children and Families ~~Family Services~~, determines to be
17 eligible, subject to the income, assets, and categorical
18 eligibility tests set forth in federal and state law. Payment on
19 behalf of these Medicaid eligible persons is subject to the
20 availability of moneys and any limitations established by the
21 General Appropriations Act or chapter 216.

22 (1) Low-income families with children are eligible for
23 Medicaid provided they meet the following requirements:

24 (a) The family includes a dependent child who is living
25 with a caretaker relative.

26 (b) The family's income does not exceed the gross income
27 test limit.

28 (c) The family's countable income and resources do not
29 exceed the applicable Aid to Families with Dependent Children

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30 (AFDC) income and resource standards under the AFDC state plan
31 in effect in July 1996, except as amended in the Medicaid state
32 plan to conform as closely as possible to the requirements of
33 the welfare transition program, to the extent permitted by
34 federal law.

35 (2) A person who receives payments from, who is determined
36 eligible for, or who was eligible for but lost cash benefits
37 from the federal program known as the Supplemental Security
38 Income program (SSI). This category includes a low-income person
39 age 65 or over and a low-income person under age 65 considered
40 to be permanently and totally disabled.

41 (3) A child under age 21 living in a low-income, two-parent
42 family, and a child under age 7 living with a nonrelative, if
43 the income and assets of the family or child, as applicable, do
44 not exceed the resource limits under the Temporary Cash
45 Assistance Program.

46 (4) A child who is eligible under Title IV-E of the Social
47 Security Act for subsidized board payments, foster care, or
48 adoption subsidies, and a child for whom the state has assumed
49 temporary or permanent responsibility and who does not qualify
50 for Title IV-E assistance but is in foster care, shelter or
51 emergency shelter care, or subsidized adoption. This category
52 includes a young adult who is eligible to receive services under
53 s. 409.1451, until the young adult reaches 21 years of age,
54 without regard to any income, resource, or categorical
55 eligibility test that is otherwise required. This category also
56 includes a person who as a child was eligible under Title IV-E
57 of the Social Security Act for foster care or the state-provided
58 foster care and who is a participant in the Road-to-Independence

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59 Program.

60 (5) A pregnant woman for the duration of her pregnancy and
61 for the postpartum period as defined in federal law and rule, or
62 a child under age 1, if either is living in a family that has an
63 income which is at or below 150 percent of the most current
64 federal poverty level, or, ~~effective January 1, 1992,~~ that has
65 an income which is at or below 200 ~~185~~ percent of the most
66 current federal poverty level. Such a person is not subject to
67 an assets test. Further, a pregnant woman who applies for
68 eligibility for the Medicaid program through a qualified
69 Medicaid provider must be offered the opportunity, subject to
70 federal rules, to be made presumptively eligible for the
71 Medicaid program.

72 (6) A child born after September 30, 1983, living in a
73 family that has an income which is at or below 100 percent of
74 the current federal poverty level, who has attained the age of
75 6, but has not attained the age of 19. In determining the
76 eligibility of such a child, an assets test is not required. A
77 child who is eligible for Medicaid under this subsection must be
78 offered the opportunity, subject to federal rules, to be made
79 presumptively eligible. A child who has been deemed
80 presumptively eligible for Medicaid shall not be enrolled in a
81 managed care plan until the child's full eligibility
82 determination for Medicaid has been completed.

83 (7) A child living in a family that has an income which is
84 at or below 133 percent of the current federal poverty level,
85 who has attained the age of 1, but has not attained the age of
86 6. In determining the eligibility of such a child, an assets
87 test is not required. A child who is eligible for Medicaid under

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88 this subsection must be offered the opportunity, subject to
89 federal rules, to be made presumptively eligible. A child who
90 has been deemed presumptively eligible for Medicaid shall not be
91 enrolled in a managed care plan until the child's full
92 eligibility determination for Medicaid has been completed.

93 (8) A person who is age 65 or over or is determined by the
94 agency to be disabled, whose income is at or below 100 percent
95 of the most current federal poverty level and whose assets do
96 not exceed limitations established by the agency. However, the
97 agency may only pay for premiums, coinsurance, and deductibles,
98 as required by federal law, unless additional coverage is
99 provided for any or all members of this group by s. 409.904(1).

100 Section 2. This act shall take effect July 1, 2014.