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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/08/2016 04:35 PM

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Senator Sobel moved the following:

Senate Amendment (with title amendment)

Between lines 271 and 272

insert:

Section 2. Subsection (2) of Section 391.021, Florida Statutes, is amended to read:

391.021 Definitions.—When used in this act, the term:

(2) "Children with special health care needs" means those children younger than 21 years of age who have chronic ~~and~~ ~~serious~~ physical, developmental, behavioral, or emotional conditions and who require health care and related services of a



752312

12 type or amount beyond that which is generally required by
13 children.

14 Section 3. Section 391.029, Florida Statutes, is amended to
15 read:

16 391.029 Program eligibility.-

17 ~~(1) Eligibility for the Children's Medical Services program~~
18 ~~is based on the diagnosis of one or more chronic and serious~~
19 ~~medical conditions and the family's need for specialized~~
20 ~~services.~~

21 (1)~~(2)~~ The following individuals are eligible to receive
22 services through the program:

23 (a) A high-risk pregnant female who is enrolled in
24 Medicaid.

25 (b) Children with serious special health care needs from
26 birth to 21 years of age who are enrolled in Medicaid.

27 (c) Children with ~~serious~~ special health care needs from
28 birth to 19 years of age who are enrolled in a program under
29 Title XXI of the Social Security Act.

30 (2)~~(3)~~ Subject to the availability of funds, the following
31 individuals may receive services through the program:

32 (a) Children with ~~serious~~ special health care needs from
33 birth to 21 years of age who do not qualify for Medicaid or
34 Title XXI of the Social Security Act but who are unable to
35 access, due to lack of providers or lack of financial resources,
36 specialized services that are medically necessary or essential
37 family support services. Families shall participate financially
38 in the cost of care based on a sliding fee scale established by
39 the department.

40 (b) Children with special health care needs from birth to



752312

41 21 years of age, as provided in Title V of the Social Security
42 Act.

43 (c) An infant who receives an award of compensation under
44 s. 766.31(1). The Florida Birth-Related Neurological Injury
45 Compensation Association shall reimburse the Children's Medical
46 Services Network the state's share of funding, which must
47 thereafter be used to obtain matching federal funds under Title
48 XXI of the Social Security Act.

49 (3)~~(4)~~ Any child who has been provided with surgical or
50 medical care or treatment under this act before ~~prior to~~ being
51 adopted and has a special health care need ~~serious and chronic~~
52 ~~special health needs~~ shall continue to be eligible to be
53 provided with such care or treatment after his or her adoption,
54 regardless of the financial ability of the persons adopting the
55 child.

56
57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Between lines 40 and 41

60 insert:

61 amending s. 391.021, F.S.; revising the definition of
62 the term "children with special health care needs";
63 amending s. 391.029, F.S., revising eligibility
64 requirements for the Children's Medical Services
65 program;