

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 1654

INTRODUCER: Senator Campbell

SUBJECT: Florida Kidcare Program

DATE: March 24, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Hendon	CF	Pre-meeting
2.			GO	
3.			RC	

I. Summary:

SB 1654 creates the Kidcare Operational Efficiency and Health Care Improvement Workgroup to maximize the state's return on investment in the Kidcare program, a health insurance program for children in lower income households. The workgroup is to recommend operational efficiencies and report to the Governor and Legislature by December 31, 2017.

The bill is unlikely to have a fiscal impact on the state and has an effective date of July 1, 2017.

II. Present Situation:

Florida Kidcare Program

The Florida Kidcare Program (Kidcare) was created in 1998 by the Florida Legislature in response to the federal enactment of the Children's Health Insurance Program (CHIP) in 1997.¹ CHIP provides subsidized health insurance to uninsured children who do not qualify for Medicaid but who have family incomes under 200 percent of the federal poverty level (FPL) and meet other eligibility criteria.

The state statutory authority for Kidcare is found under part II of ch. 409, ss. 409.810 through 409.821, F.S. Kidcare includes four operating components: Medicaid for children, Medikids, the Children's Medical Services Network (CMS Network), and the Florida Healthy Kids Corporation (FHKC). Coverage for the non-Medicaid components are funded through Title XXI of the federal Social Security Act. Title XIX of the Social Security Act (Medicaid), state funds, and family contributions also provide funding for the different components. Family contributions under the Title XXI component are based on family size, household incomes, and other eligibility factors. Families above the income limits for premium assistance or who are not

¹ Social Security Administration, *Title XXI - State Children's Health Insurance Program*, http://www.ssa.gov/OP_Home/ssact/title21/2100.htm (last visited March 23, 2017).

otherwise eligible for premium assistance are offered the opportunity to participate in Kidcare at a non-subsidized rate (full pay). Currently, the income limit for premium assistance is 200 percent of the FPL.

Several state agencies and the FHKC share responsibilities for Kidcare. The AHCA, the Department of Children and Families (DCF), the Department of Health (DOH), and the FHKC have specific duties under Kidcare as detailed in part II of ch. 409, F.S. The DCF determines eligibility for Medicaid. The FHKC receives all Kidcare applications and screens for Medicaid eligibility and determines eligibility for all Title XXI programs, referring applications to the DCF, as appropriate, for a complete Medicaid determination.

To enroll in Kidcare, families may apply online or use a paper application that determines eligibility for multiple programs, including Medicaid and CHIP, for the entire family. Applications are available in English, Spanish, and Creole. Eligibility for premium assistance is determined first through electronic data matches with available databases or, in cases where income cannot be verified electronically, through submission of current pay stubs, tax returns, or W-2 forms.

Section 409.818(2)(b), F.S., requires the Department of Health to chair a state-level Florida Kidcare coordinating council to review and make recommendations concerning the implementation and operation of the program. The coordinating council includes representatives from DOH, DCF, AHCA, FHKC, the Office of Insurance Regulation of the Financial Services Commission, local government, health insurers, health maintenance organizations, health care providers, families participating in the program, and organizations representing low-income families.

III. Effect of Proposed Changes:

The bill creates the Kidcare Operational Efficiency and Health Care Improvement Workgroup. The workgroup is to maximize the return on the investment of public funds and enhance operational efficiencies in the program.

The workgroup consists of the following 11 members:

- The President of the Florida Chapter of the American Academy of Pediatrics or a designee.
- The State Health Officer or a designee.
- The Secretary of Health Care Administration or a designee with a background in children's health policy.
- The assistant secretary for child welfare of the Department of Children and Families or a designee.
- A representative of the board of directors of the Florida Healthy Kids Corporation.
- A representative of the Florida Association of Children's Hospitals, Inc.
- A representative of the Florida Covering Kids and Families Coalition.
- A representative of the Florida Association of Health Plans.
- A representative of the Florida Children's Council with a background in children's health policy.
- The Director of Children's Medical Services or a designee.
- A parent with a child in the Florida Kidcare program.

The bill charges the workgroup with examining successful models to improve value and health care outcomes, make recommendations to improve the program's efficiency, provide any transition plans based on the recommendations, and recommend any federal waivers to improve the program.

The workgroup must submit a report with findings and recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives by December 31, 2017.

The provisions of the bill expire on December 31, 2017.

The bill has an effective date of July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Any efficiencies recommended to and implemented by the Department of Health could reduce costs to the state.

VI. Technical Deficiencies:

The bill creates a public workgroup but workgroups are not defined in the Florida Statutes. Section 20.03, F.S., relating to the organization of the executive branch, defines a "committee" or "task force" as an advisory body created without specific statutory enactment for a time not to exceed 1 year and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its

assignment. The workgroup established by this bill fits the definition of a task force and the workgroup should be renamed as a task force. In addition, the bill does not house the group in an executive branch agency and should likely be located in the Department of Health.

VII. Related Issues:

The purpose of the workgroup created in the bill may duplicate the Department of Health's Kidcare coordinating council.

VIII. Statutes Affected:

This bill creates an unnumbered section of law.

IX. Additional Information:

A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. **Amendments:**

None.