

1 A bill to be entitled
 2 An act relating to the Program of All-Inclusive Care
 3 for the Elderly; creating s. 430.84, F.S.; providing
 4 definitions; authorizing the Agency for Health Care
 5 Administration, in consultation with the Department of
 6 Elderly Affairs, to approve entities applying to
 7 deliver PACE services in the state; providing
 8 specified application requirements for such
 9 prospective PACE organizations; requiring existing
 10 PACE organizations to meet specified requirements
 11 under certain circumstances; requiring prospective
 12 PACE organizations to submit a complete application to
 13 the agency and the Centers for Medicare and Medicaid
 14 Services within a specified period; requiring that
 15 PACE organizations meet certain federal quality and
 16 performance standards; providing that a PACE
 17 organization is exempt from certain requirements;
 18 providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

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 22 Section 1. Section 430.84, Florida Statutes, is created to
 23 read:

24 430.84 Program of All-Inclusive Care for the Elderly.-
 25 (1) DEFINITIONS.-As used in this section, the term:

26 (a) "Agency" means the Agency for Health Care
27 Administration.

28 (b) "Applicant" means an entity that has filed an
29 application with the agency for consideration as a Program of
30 All-Inclusive Care for the Elderly (PACE) organization.

31 (c) "CMS" means the Centers for Medicare and Medicaid
32 Services within the United States Department of Health and Human
33 Services.

34 (d) "Department" means the Department of Elderly Affairs.

35 (e) "PACE organization" means an entity under contract
36 with the agency to deliver PACE services.

37 (f) "Participant" means an individual receiving services
38 from a PACE organization who has been determined by the
39 department to need the level of care required under the state
40 Medicaid plan for coverage of nursing facility services.

41 (2) PROGRAM CREATION.—The agency, in consultation with the
42 department, may approve entities that have submitted
43 applications required by the CMS to the agency for review and
44 consideration which contain the data and information required in
45 subsection (3) to provide benefits pursuant to the PACE program
46 as established in 42 U.S.C. s. 1395eee and in accordance with
47 the requirements set forth in this section.

48 (3) PACE ORGANIZATION SELECTION.—The agency, in
49 consultation with the department, shall, on a continuous basis,
50 review and consider applications required by the CMS for PACE

51 that have been submitted to the agency by entities seeking
52 initial, state approval to become PACE organizations. Notice of
53 such applications shall be published in the Florida
54 Administrative Register.

55 (a) A prospective PACE organization shall submit
56 application documents to the agency before requesting program
57 funding. Application documents submitted to and reviewed by the
58 agency, in consultation with the department, must include all of
59 the following:

60 1. Evidence that the applicant has the ability to meet all
61 of the applicable federal regulations and requirements,
62 established by the CMS, for participation as a PACE organization
63 by the proposed implementation date.

64 2. Market studies, including an estimate of the number of
65 potential participants and the geographic service area in which
66 the applicant proposes to serve.

67 3. A business plan of operation, including pro forma
68 financial statements and projections, based on the proposed
69 implementation date.

70 (b) Each applicant must propose to serve a unique and
71 defined geographic service area without duplication of services
72 or target populations. No more than one PACE organization may be
73 authorized to provide services within any unique and defined
74 geographic service area.

75 (c) An existing PACE organization seeking authority to

76 serve an additional geographic service area not previously
77 authorized by the agency or Legislature, shall meet the
78 requirements set forth in paragraphs (a) and (b).

79 (d) Any prospective PACE organization that is granted
80 initial, state approval by the agency, in consultation with the
81 department, shall submit its complete federal PACE application,
82 in accordance with the application process and guidelines
83 established by the CMS, to the agency and the CMS within 12
84 months after the date of initial, state approval, or such
85 approval is void.

86 (4) ACCOUNTABILITY.—All PACE organizations must meet
87 specific quality and performance standards established by the
88 CMS for the PACE program. The agency shall oversee and monitor
89 the PACE program and organizations based upon data and reports
90 periodically submitted by PACE organizations to the agency and
91 the CMS. A PACE organization is exempt from the requirements of
92 chapter 641.

93 Section 2. This act shall take effect July 1, 2019.