

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to Medicaid; amending s. 409.908,
3 F.S.; revising the types of emergency transportation
4 vehicle services provided to Medicare-eligible persons
5 for which Medicaid shall pay deductibles and
6 coinsurance; providing an effective date.
7

8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Paragraph (c) of subsection (13) of section
11 409.908, Florida Statutes, is amended to read:

12 409.908 Reimbursement of Medicaid providers.—Subject to
13 specific appropriations, the agency shall reimburse Medicaid
14 providers, in accordance with state and federal law, according
15 to methodologies set forth in the rules of the agency and in
16 policy manuals and handbooks incorporated by reference therein.
17 These methodologies may include fee schedules, reimbursement
18 methods based on cost reporting, negotiated fees, competitive
19 bidding pursuant to s. 287.057, and other mechanisms the agency
20 considers efficient and effective for purchasing services or
21 goods on behalf of recipients. If a provider is reimbursed based
22 on cost reporting and submits a cost report late and that cost
23 report would have been used to set a lower reimbursement rate
24 for a rate semester, then the provider's rate for that semester
25 shall be retroactively calculated using the new cost report, and
26 full payment at the recalculated rate shall be effected
27 retroactively. Medicare-granted extensions for filing cost
28 reports, if applicable, shall also apply to Medicaid cost
29 reports. Payment for Medicaid compensable services made on

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30 behalf of Medicaid eligible persons is subject to the
31 availability of moneys and any limitations or directions
32 provided for in the General Appropriations Act or chapter 216.
33 Further, nothing in this section shall be construed to prevent
34 or limit the agency from adjusting fees, reimbursement rates,
35 lengths of stay, number of visits, or number of services, or
36 making any other adjustments necessary to comply with the
37 availability of moneys and any limitations or directions
38 provided for in the General Appropriations Act, provided the
39 adjustment is consistent with legislative intent.

40 (13) Medicare premiums for persons eligible for both
41 Medicare and Medicaid coverage shall be paid at the rates
42 established by Title XVIII of the Social Security Act. For
43 Medicare services rendered to Medicaid-eligible persons,
44 Medicaid shall pay Medicare deductibles and coinsurance as
45 follows:

46 (c) Notwithstanding paragraphs (a) and (b):

47 1. Medicaid payments for Nursing Home Medicare part A
48 coinsurance are limited to the Medicaid nursing home per diem
49 rate less any amounts paid by Medicare, but only up to the
50 amount of Medicare coinsurance. The Medicaid per diem rate shall
51 be the rate in effect for the dates of service of the crossover
52 claims and may not be subsequently adjusted due to subsequent
53 per diem rate adjustments.

54 2. Medicaid shall pay all deductibles and coinsurance for
55 Medicare-eligible recipients receiving freestanding end stage
56 renal dialysis center services.

57 3. Medicaid payments for general and specialty hospital
58 inpatient services are limited to the Medicare deductible and

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59 coinsurance per spell of illness. Medicaid payments for hospital
60 Medicare Part A coinsurance shall be limited to the Medicaid
61 hospital per diem rate less any amounts paid by Medicare, but
62 only up to the amount of Medicare coinsurance. Medicaid payments
63 for coinsurance shall be limited to the Medicaid per diem rate
64 in effect for the dates of service of the crossover claims and
65 may not be subsequently adjusted due to subsequent per diem
66 adjustments.

67 4. Medicaid shall pay all deductibles and coinsurance for
68 Medicare-eligible recipients receiving Medicare-emergency
69 transportation services provided by ambulances or emergency
70 medical services vehicles as defined by s. 401.23(5) licensed
71 pursuant to chapter 401.

72 5. Medicaid shall pay all deductibles and coinsurance for
73 portable X-ray Medicare Part B services provided in a nursing
74 home, in an assisted living facility, or in the patient's home.

75 Section 2. This act shall take effect July 1, 2021.