



501124

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/26/2021 03:57 PM	.	04/29/2021 12:34 PM
	.	

Senator Book moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

430.84 Program of All-Inclusive Care for the Elderly.-

(1) DEFINITIONS.-As used in this section, the term:

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

(b) "Applicant" means an entity that has filed an



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12 application with the agency for consideration as a Program of
13 All-Inclusive Care for the Elderly (PACE) organization.

14 (c) "CMS" means the Centers for Medicare and Medicaid
15 Services within the United States Department of Health and Human
16 Services.

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

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

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

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

31 (3) PACE ORGANIZATION SELECTION.—The agency, in
32 consultation with the department, shall, on a continuous basis,
33 review and consider applications required by the CMS for PACE
34 that have been submitted to the agency by entities seeking
35 initial state approval to become PACE organizations. Notice of
36 such applications shall be published in the Florida
37 Administrative Register.

38 (a) A prospective PACE organization shall submit
39 application documents to the agency before requesting program
40 funding. Application documents submitted to and reviewed by the



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41 agency, in consultation with the department, must include all of
42 the following:

43 1. Evidence that the applicant has the ability to meet all
44 of the applicable federal regulations and requirements,
45 established by the CMS, for participation as a PACE organization
46 by the proposed implementation date.

47 2. Market studies, including an estimate of the number of
48 potential participants and the geographic service area in which
49 the applicant proposes to serve.

50 3. A business plan of operation, including pro forma
51 financial statements and projections, based on the proposed
52 implementation date.

53 (b) Each applicant must propose to serve a unique and
54 defined geographic service area without duplication of services
55 or target populations. No more than one PACE organization may be
56 authorized to provide services within any unique and defined
57 geographic service area.

58 (c) Upon agency approval, a PACE organization that is
59 authorized to provide and has received funding for PACE slots in
60 a given geographic area may use such slots and funding to serve
61 the needs of participants in a contiguous geographic area if
62 such PACE organization is authorized to provide PACE services in
63 that area.

64 (d) An existing PACE organization seeking authority to
65 serve an additional geographic service area not previously
66 authorized by the agency or Legislature shall meet the
67 requirements set forth in paragraphs (a) and (b).

68 (e) Any prospective PACE organization that is granted
69 initial state approval by the agency, in consultation with the



70 department, shall submit its complete federal PACE application,
71 in accordance with the application process and guidelines
72 established by the CMS, to the agency and the CMS within 12
73 months after the date of initial state approval, or such
74 approval is void.

75 (4) ACCOUNTABILITY.—All PACE organizations must meet
76 specific quality and performance standards established by the
77 CMS and the state administering agency for the PACE program. The
78 agency shall oversee and monitor the PACE program and
79 organizations based upon data and reports periodically submitted
80 by PACE organizations to the agency and the CMS. A PACE
81 organization is exempt from the requirements of chapter 641.

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

83
84 ===== T I T L E A M E N D M E N T =====

85 And the title is amended as follows:

86 Delete everything before the enacting clause
87 and insert:

88 A bill to be entitled
89 An act relating to the Program of All-Inclusive Care
90 for the Elderly; creating s. 430.84, F.S.; defining
91 terms; authorizing the Agency for Health Care
92 Administration, in consultation with the Department of
93 Elderly Affairs, to approve entities applying to
94 deliver PACE services in the state; requiring
95 applications to be reviewed and considered on a
96 continuous basis; requiring notice of applications to
97 be published in the Florida Administrative Register;
98 providing specified application requirements for such



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99 prospective PACE organizations; requiring existing
100 PACE organizations to meet specified requirements
101 under certain circumstances; requiring prospective
102 PACE organizations to submit a complete application to
103 the agency and the Centers for Medicare and Medicaid
104 Services within a specified period; requiring that
105 PACE organizations meet certain federal and state
106 quality and performance standards; requiring the
107 agency to oversee and monitor the PACE program and
108 organizations; providing that a PACE organization is
109 exempt from certain requirements; providing an
110 effective date.