

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 110.12301, F.S.;
 4 designating the Department of Management Services,
 5 rather than the Division of State Group Insurance, as
 6 the entity required to contract for certain services
 7 for the state group insurance program; authorizing the
 8 department or contractor to require certain
 9 information from subscribers; revising the type of
 10 information the department or contractor may require
 11 from subscribers for verifying dependent eligibility;
 12 removing obsolete language; revising the retention
 13 requirements for certain documentation; providing an
 14 effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Subsection (2) of section 110.12301, Florida
 19 Statutes, is amended to read:

20 110.12301 Competitive procurement of postpayment claims
 21 review services and dependent eligibility verification services;
 22 public records exemption.—

23 (2) The department ~~Division of State Group Insurance~~ is
 24 directed to ~~competitively procure a~~ contract for dependent
 25 eligibility verification services for the state group insurance

26 | ~~program; however, compensation under the contract may not exceed~~
 27 | ~~historical claim costs for the prior 12 months for the dependent~~
 28 | ~~populations disenrolled as a result of the contractor's~~
 29 | ~~services.~~

30 | ~~(a)1. By September 1, 2017, the division shall notify all~~
 31 | ~~subscribers regarding the eligibility rules for dependents.~~
 32 | ~~Through November 30, 2017, the division must hold subscribers~~
 33 | ~~harmless for past claims of ineligible dependents if such~~
 34 | ~~dependents are removed from plan membership before December 1,~~
 35 | ~~2017.~~

36 | ~~2. Subparagraph 1. does not apply to any dependent~~
 37 | ~~identified as ineligible before July 1, 2017, for which the~~
 38 | ~~department has notified the state agency employing the~~
 39 | ~~associated subscriber.~~

40 | ~~(a)(b)~~ The department or the contractor providing
 41 | dependent eligibility verification services may require ~~request~~
 42 | the following information from subscribers:

- 43 | 1. To prove a spouse's eligibility:
- 44 | a. If married fewer ~~less~~ than 12 months and the subscriber
 45 | and his or her spouse have not filed a joint federal income tax
 46 | return, a copy of a government-issued marriage certificate; ~~or~~
 47 | b. If married for 12 or more months, a copy of the
 48 | transcript of the most recently filed federal income tax return;
 49 | or
 50 | c. If the documentation specified in sub-subparagraph a.

51 or sub-subparagraph b. cannot be produced, an attestation of the
 52 marriage by sworn affidavit consistent with s. 92.50.

53 2. To prove a biological child's or a newborn grandchild's
 54 eligibility:

55 a. A copy of a government-issued birth certificate; or

56 b. If a government-issued birth certificate cannot be
 57 produced, an attestation of the subscriber-dependent
 58 relationship by sworn affidavit consistent with s. 92.50.

59 3. To prove an adopted child's eligibility:

60 a. A copy of an adoption certificate; ~~or~~

61 b. A copy of an adoption placement agreement and a
 62 petition for adoption; or

63 c. If the documentation specified in sub-subparagraph a.
 64 or sub-subparagraph b. cannot be produced, an attestation of the
 65 subscriber-dependent relationship by sworn affidavit consistent
 66 with s. 92.50.

67 4. To prove a stepchild's eligibility, both of the
 68 following:

69 a. A copy of a government-issued birth certificate for the
 70 stepchild. ~~;~~ and

71 b. A copy of the transcript of the subscriber's most
 72 recently filed federal income tax return.

73 5. To prove a child's eligibility under guardianship, a
 74 copy of the court order naming the subscriber or the
 75 subscriber's spouse as the child's legal guardian or custodian

76 ~~Any other information necessary to verify the dependent's~~
77 ~~eligibility for enrollment in the state group insurance program.~~

78 6. To prove a foster child's eligibility, a copy of the
79 records showing the subscriber or the subscriber's spouse as the
80 child's foster parent.

81 7. To prove eligibility of an unmarried child who is at
82 least 26 but not more than 30 years of age, all of the
83 following:

84 a. A copy of the child's government-issued birth
85 certificate or adoption certificate naming the subscriber or the
86 subscriber's spouse as the child's parent, or a copy of the
87 court order naming the subscriber or the subscriber's spouse as
88 the child's legal guardian or custodian.

89 b. A copy of a completed Certification of Over-Age
90 Dependent Eligibility Form.

91 c. A document confirming the child's current enrollment as
92 a student, including the name of the child, the name of the
93 school where the child is enrolled, and the school term in which
94 the child is enrolled, or a bill or statement in the child's
95 name that is dated within the last 60 days and is mailed to the
96 child at an address in the state.

97 8. To prove eligibility of a disabled child who is at
98 least 26 years of age or older, both of the following:

99 a. A copy of the child's government-issued birth
100 certificate or adoption certificate naming the subscriber or the

101 subscriber's spouse as the child's parent, or a copy of the
 102 court order naming the subscriber or the subscriber's spouse as
 103 the child's legal guardian or custodian.

104 b. A copy of the subscriber's or the subscriber's spouse's
 105 most recently filed federal income tax return listing the
 106 child's name and the last four digits of the child's social
 107 security number and identifying the child as the subscriber's or
 108 the subscriber's spouse's dependent for tax purposes.

109 (b)-(e) If a document requested from a subscriber is not
 110 confidential or exempt from public records requirements, the
 111 division and the contractor shall disclose to all subscribers
 112 that such information submitted to verify the eligibility of
 113 dependents may be subject to disclosure and inspection under
 114 chapter 119.

115 (c)-(d) A government-issued marriage license or marriage
 116 certificate submitted for dependent eligibility verification
 117 must include the date of the marriage between the subscriber and
 118 the spouse.

119 (d)-(e) A government-issued birth certificate submitted for
 120 dependent eligibility verification must list the parents' names.

121 (e)-(f) Foreign-born subscribers unable to obtain the
 122 necessary documentation within the specified time period of
 123 producing verification documentation may provide a sworn ~~execute~~
 124 ~~a signed~~ affidavit consistent with s. 92.50 attesting to
 125 eligibility requirements.

126 ~~(f)-(g)~~ Documentation submitted to verify eligibility may
127 be an original or a photocopy of an original document. Before
128 submitting a document, the subscriber may redact any information
129 on a document which is not necessary to verify the eligibility
130 of the dependent.

131 ~~(g)-(h)~~ All documentation obtained by the department or
132 contractor to conduct ~~the~~ dependent eligibility verification
133 services must be retained in accordance with the applicable
134 records retention schedule ~~until June 30, 2019. The department~~
135 ~~or the contractor is not required to retain such documentation~~
136 ~~after June 30, 2019, and shall destroy such documentation as~~
137 ~~soon as practicable after such date.~~

138 Section 2. This act shall take effect July 1, 2022.