

By Senator Gruters

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1 A bill to be entitled
2 An act relating to dependent eligibility for state
3 group health insurance enrollment; amending s.
4 110.12301, F.S.; designating the Department of
5 Management Services, rather than the Division of State
6 Group Insurance, as the entity that contracts for
7 dependent eligibility services in the state group
8 insurance program; authorizing the department or the
9 contractor providing dependent eligibility
10 verification services to require certain information
11 from subscribers; deleting obsolete language; revising
12 the records retention schedule regarding documents
13 obtained during the dependent eligibility verification
14 process; providing an effective date.

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

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18 Section 1. Subsections (1) and (2) of section 110.12301,
19 Florida Statutes, are amended to read:

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

23 (1) The Division of State Group Insurance is directed to
24 competitively procure postpayment claims review services for the
25 state group health insurance plans established pursuant to s.
26 110.123. Compensation under the contract must ~~shall~~ be paid from
27 amounts identified as claim overpayments that are made by or on
28 behalf of the health plans and that are recovered by the vendor.
29 The vendor may retain that portion of the amount recovered as

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30 provided in the contract. The contract must require the vendor
31 to maintain all necessary documentation supporting the amounts
32 recovered, retained, and remitted to the division. ~~;~~ and

33 (2) The Department of Management Services ~~Division of State~~
34 ~~Group Insurance~~ is directed to ~~competitively procure a~~ contract
35 for dependent eligibility verification services for the state
36 group insurance program; ~~however, compensation under the~~
37 ~~contract may not exceed historical claim costs for the prior 12~~
38 ~~months for the dependent populations disenrolled as a result of~~
39 ~~the contractor's services.~~

40 (a) ~~1. By September 1, 2017, the division shall notify all~~
41 ~~subscribers regarding the eligibility rules for dependents.~~
42 ~~Through November 30, 2017, the division must hold subscribers~~
43 ~~harmless for past claims of ineligible dependents if such~~
44 ~~dependents are removed from plan membership before December 1,~~
45 ~~2017.~~

46 ~~2. Subparagraph 1. does not apply to any dependent~~
47 ~~identified as ineligible before July 1, 2017, for which the~~
48 ~~department has notified the state agency employing the~~
49 ~~associated subscriber.~~

50 ~~(b)~~ The department or the contractor providing dependent
51 eligibility verification services may require ~~request~~ the
52 following information from subscribers:

53 1. To prove a spouse's eligibility:

54 a. If married less than 12 months and the subscriber and
55 his or her spouse have not filed a joint federal income tax
56 return, a government-issued marriage certificate; or

57 b. If married for 12 or more months, a transcript of the
58 most recently filed federal income tax return.

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- 59 2. To prove a biological child's or a newborn grandchild's
60 eligibility, a government-issued birth certificate.
- 61 3. To prove an adopted child's eligibility:
62 a. An adoption certificate; or
63 b. An adoption placement agreement and a petition for
64 adoption.
- 65 4. To prove a stepchild's eligibility:
66 a. A government-issued birth certificate for the stepchild;
67 and
68 b. The transcript of the subscriber's most recently filed
69 federal income tax return.
- 70 5. Any other information necessary to verify the
71 dependent's eligibility for enrollment in the state group
72 insurance program.
- 73 (b)~~(e)~~ If a document requested from a subscriber is not
74 confidential or exempt from public records requirements, the
75 division and the contractor shall disclose to all subscribers
76 that such information submitted to verify the eligibility of
77 dependents may be subject to disclosure and inspection under
78 chapter 119.
- 79 (c)~~(d)~~ A government-issued marriage license or marriage
80 certificate submitted for dependent eligibility verification
81 must include the date of the marriage between the subscriber and
82 the spouse.
- 83 (d)~~(e)~~ A government-issued birth certificate submitted for
84 dependent eligibility verification must list the parents' names.
- 85 (e)~~(f)~~ Foreign-born subscribers unable to obtain the
86 necessary documentation within the specified time period of
87 producing verification documentation may execute a signed

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88 affidavit attesting to eligibility requirements.

89 (f)~~(g)~~ Documentation submitted to verify eligibility may be
90 an original or a photocopy of an original document. Before
91 submitting a document, the subscriber may redact any information
92 on a document which is not necessary to verify the eligibility
93 of the dependent.

94 (g)~~(h)~~ All documentation obtained ~~by the contractor~~ to
95 conduct the dependent eligibility verification services must be
96 retained in accordance with the applicable records retention
97 schedule until June 30, 2019. ~~The department or the contractor~~
98 ~~is not required to retain such documentation after June 30,~~
99 ~~2019, and shall destroy such documentation as soon as~~
100 ~~practicable after such date.~~

101 Section 2. This act shall take effect upon becoming a law.