

By Senator Garcia

36-01466-24

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1                   A bill to be entitled  
2       An act relating to priority enrollment for Medicaid  
3       home and community-based services; amending s.  
4       409.979, F.S.; adding specified individuals to the  
5       list of those who are afforded priority enrollment for  
6       Medicaid home and community-based services through the  
7       long-term care managed care program under certain  
8       circumstances; providing an effective date.

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10   Be It Enacted by the Legislature of the State of Florida:

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12       Section 1. Paragraph (f) of subsection (3) of section  
13       409.979, Florida Statutes, is amended to read:

14       409.979 Eligibility.—

15       (3) WAIT LIST, RELEASE, AND OFFER PROCESS.—The Department  
16       of Elderly Affairs shall maintain a statewide wait list for  
17       enrollment for home and community-based services through the  
18       long-term care managed care program.

19       (f) Notwithstanding this subsection, the following  
20       individuals are afforded priority enrollment for home and  
21       community-based services through the long-term care managed care  
22       program and do not have to complete the screening or wait-list  
23       process if all other long-term care managed care program  
24       eligibility requirements are met:

25       1. An individual who is 18, 19, or 20 years of age who has  
26       a chronic debilitating disease or condition of one or more  
27       physiological or organ systems which generally make the  
28       individual dependent upon 24-hour-per-day medical, nursing, or  
29       health supervision or intervention.

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30           2. A nursing facility resident who requests to transition  
31 into the community and who has resided in a Florida-licensed  
32 skilled nursing facility for at least 60 consecutive days.

33           3. An individual who is referred by the Department of  
34 Children and Families pursuant to the Adult Protective Services  
35 Act, ss. 415.101-415.113, as high risk and who is placed in an  
36 assisted living facility temporarily funded by the Department of  
37 Children and Families.

38           4. An individual who has resided in a licensed assisted  
39 living facility in this state for at least 6 months, or for 30  
40 days following referral by the Department of Children and  
41 Families, and who requires assistance with two or more  
42 activities of daily living.

43           Section 2. This act shall take effect July 1, 2024.