

By the Appropriations Committee on Health and Human Services

603-03472-25

20257032\_\_

A bill to be entitled  
An act relating to Medicaid enrollment for permanently disabled individuals; amending s. 409.904, F.S.; requiring that certain persons who receive specified Medicaid-covered services and who are permanently disabled be presumed eligible for continued Medicaid coverage during redetermination processes; requiring the Agency for Health Care Administration to continue to make payments for such services; providing exceptions; requiring certain persons to notify the agency and the Department of Children and Families of certain changes in disability or economic status; authorizing the department to conduct a redetermination of eligibility under certain circumstances; requiring the department to make notifications under certain circumstances; defining the term "permanently disabled"; requiring the agency to seek federal authorization to exempt certain persons from annual redetermination of eligibility; requiring the agency and the department to develop a specified process; providing an effective date.

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

Section 1. Subsection (1) of section 409.904, Florida Statutes, is amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be

603-03472-25

20257032\_\_

30 eligible subject to the income, assets, and categorical  
31 eligibility tests set forth in federal and state law. Payment on  
32 behalf of these Medicaid eligible persons is subject to the  
33 availability of moneys and any limitations established by the  
34 General Appropriations Act or chapter 216.

35 (1)(a) Subject to federal waiver approval, a person who is  
36 age 65 or older or is determined to be disabled, whose income is  
37 at or below 88 percent of the federal poverty level, whose  
38 assets do not exceed established limitations, and who is not  
39 eligible for Medicare or, if eligible for Medicare, is also  
40 eligible for and receiving Medicaid-covered institutional care  
41 services, hospice services, or home and community-based  
42 services. The agency shall seek federal authorization through a  
43 waiver to provide this coverage.

44 (b)1. A person who was initially determined eligible for  
45 Medicaid under paragraph (a) and is receiving Medicaid-covered  
46 institutional care services, hospice services, or home and  
47 community-based services pursuant to s. 393.066 or s. 409.978,  
48 and who is permanently disabled, shall be presumed eligible for  
49 continued coverage for these Medicaid-covered services during  
50 any redetermination process, and the agency shall continue to  
51 make payments for such services, unless the person experiences a  
52 material change in his or her disability or economic status  
53 which results in a loss of eligibility. In the event of such a  
54 change in disability or economic status, the person or his or  
55 her designated caregiver or responsible party shall notify the  
56 agency and the Department of Children and Families of such  
57 change, and the Department of Children and Families may conduct  
58 a redetermination of eligibility. If such redetermination is

603-03472-25

20257032\_\_

59 conducted, the Department of Children and Families must notify  
60 the person or his or her designated caregiver or responsible  
61 party before the commencement of the redetermination and, at its  
62 conclusion, the results of the redetermination.

63 2. As used in this paragraph, the term "permanently  
64 disabled" means that a person has been determined to be disabled  
65 under paragraph (a) and has had his or her qualifying disability  
66 or disabilities certified by a physician licensed under chapter  
67 458 or chapter 459 as permanent in nature. The agency shall, no  
68 later than October 1, 2025, seek federal authorization to exempt  
69 a Medicaid-eligible permanently disabled person from annual  
70 redetermination of eligibility under the parameters of this  
71 paragraph.

72 3. The agency and the Department of Children and Families  
73 shall develop a process to facilitate the notifications required  
74 under subparagraph 1.

75 Section 2. This act shall take effect July 1, 2025.