

ENROLLED

CS/HB 915

2026 Legislature

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An act relating to medical assistance eligibility for working individuals with disabilities; creating s. 409.9041, F.S.; providing the definition of the term "department"; creating the Working People with Disabilities program within the Agency for Health Care Administration; providing for purpose of the program; providing eligibility requirements; providing income and assets requirements for eligibility in the program; requiring the department to provide written notice to eligible adults within a specified timeframe; providing requirements for such notice; requiring the agency to share specified information with the department; providing an effective date.

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

Section 1. Section 409.9041, Florida Statutes, is created to read:

409.9041 Working People with Disabilities program.—

(1) As used in this section, the term "department" means the Department of Children and Families.

(2) The Working People with Disabilities program is established within the agency. The purpose of the program is to eliminate barriers to employment by allowing certain working

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26 individuals with disabilities to maintain eligibility for
 27 Medicaid home and community-based services waiver programs while
 28 working and earning additional income.

29 (3) A person is eligible for the program and must be
 30 automatically enrolled if he or she:

31 (a) Has a developmental disability as defined in s.
 32 393.063.

33 (b) Is currently enrolled in a Medicaid home and
 34 community-based services waiver, including the home and
 35 community-based services Medicaid waiver program under s.
 36 393.0662, the familial dysautonomia waiver authorized under s.
 37 409.912(10), the long-term care managed care program under s.
 38 409.978, the pilot program for individuals with developmental
 39 disabilities under s. 409.9855, or the Florida Medicaid Model
 40 Waiver.

41 (c) Is at least 18 years of age.

42 (d) Is employed and has earned income.

43 (4) To maintain Medicaid eligibility, an enrollee in this
 44 program may not exceed a maximum monthly income of 550 percent
 45 of the Supplemental Security Income Federal Benefit Rate
 46 established by the Social Security Administration. The agency
 47 and the department must disregard assets up to \$13,000 for an
 48 individual and up to \$24,000 for a couple and exclude assets
 49 held in a retirement account recognized by the Internal Revenue
 50 Service from asset limits when determining eligibility for the

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51 Medicaid program.

52 (5) The department shall provide written notice to
 53 eligible adults upon initial enrollment in a waiver described in
 54 paragraph (3) (b), and at least annually thereafter. The notice
 55 shall clearly and concisely communicate all of the following
 56 information:

57 (a) Automatic enrollment in the program.

58 (b) Eligibility and qualifications for the program.

59 (c) The ability to maintain Medicaid benefits while
 60 earning income in the program.

61 (d) The optional nature of participation in the program.

62 (e) A brief overview of a special needs trust authorized
 63 by the federal Social Security Act and how it may assist with
 64 maintaining eligibility for benefits.

65 (f) The name and contact information for the person or
 66 office within the department responsible for providing
 67 information regarding eligibility for or assistance with the
 68 program.

69 (6) The agency shall identify Medicaid recipients who are
 70 enrolled in Supplemental Security Income and a Medicaid home and
 71 community-based services waiver listed in paragraph (3) (b) and
 72 share such information with the department as necessary to
 73 accomplish the purpose of this section.

74 Section 2. The Department of Children and Families shall
 75 provide the written notices required under s. 409.9041(5),

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76 | Florida Statutes, to currently eligible enrollees under s.
77 | 409.9041(3), Florida Statutes, within 90 days after the
78 | effective date of this act.

79 | Section 3. This act shall take effect upon becoming a law.