



**Conference Committee on
House – Health Care Appropriations Subcommittee
Senate - Appropriations Subcommittee on Health and
Human Services**

**Health Care Implementing Bill
Initial Side-by-Side**

Monday, March 9, 2020

9:15 a.m.

212 (Knott Bldg.)

FY 2020-2021 Implementing Bill

**House Health Care Appropriations Subcommittee / Senate Health and Human Services Appropriations
Side by Side**

Line	HB 5003 Section	SB 2502 Section	Description
1	4	13	MEDICAID HOSPITAL FUNDING PROGRAMS. Provides the calculations for the Medicaid Disproportionate Share Hospital, and Hospital Reimbursement programs, for the 2020-2021 fiscal year contained in the document titled "Medicaid Disproportionate Share Hospital and Hospital Reimbursement Funding Programs," are incorporated by reference for the purpose of displaying the calculations used by the Legislature.
2	5	14	STATEWIDE MEDICAID MANAGED CARE REALIGNMENT-AHCA/DOH. Authorizes AHCA & DOH to submit a budget amendment to realign funding within and between agencies based on the implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program within DOH. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. Also authorizes AHCA to submit a request for non-operating budget authority to transfer the federal funds to the Department of Health, pursuant to s. 216.181(12), Florida Statutes.
3	N/A	15&16	MEDICAID NURSING HOME PROSPECTIVE PAYMENT. Amends s. 409.908(23), F.S., relating to Medicaid rate setting for specified provider types, to specify the prospective payment system reimbursement for nursing home services will be governed by s. 409.908(2), F.S., and the General Appropriations Act. Language relating to county health department reimbursement is restructured but not changed substantively.
4	N/A	17&18	LOW INCOME POOL. Amends s. 409.908(26), F.S, to include Low Income Pool (LIP) payments and requires that Letters of Agreement for LIP be received by AHCA by October 1 and the funds outlined in the Letters of Agreement be received by October 31.

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Line	HB 5003 Section	SB 2502 Section	Description
5	N/A	19	MEDICAID RETROACTIVE ELIGIBILITY. Requires AHCA to see authorization from federal Centers for Medicare and Medicaid to eliminate the Medicaid retroactive eligibility period for nonpregnant adults in a manner that ensures that the elimination becomes effective July 1, 2020. Eligibility will continue to begin the first day of the month in which a nonpregnant adult applied for Medicaid.
6	N/A	20	RETROACTIVE MEDICAID ELIGIBILITY REPORT. Requires AHCA to submit a report regarding the impact of the waiver on Medicaid retroactive eligibility on beneficiaries and providers.
7	N/A	21&22	FLORIDA HEALTHY KIDS CORPORATION/MEDICAL LOSS RATIO Amends s. 624.91(5)(b), F.S., to require the Florida Healthy Kids Corporation to validate and calculate a refund amount for Title XXI providers who achieve a Medical Loss Ratio below 85 percent. These refunds shall be deposited into the General Revenue Fund, unallocated.
8	N/A	23&24	FLORIDA CONSORTIUM OF NATIONAL CANCER INSTITUTE CENTERS PROGRAM. Amends s. 381.915, F.S. to provide that a cancer center's participation in Tier 3 may not extend beyond July 1, 2021.
9	N/A	25	PRESCRIPTION DRUG MONITORING PROGRAM. Prohibits use of settlement funds for program.
10	N/A	26-28	<p>DISPROPORTIONATE SHARE HOSPITAL PROGRAM. Amends s. 409.911, F.S. to direct AHCA to distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the General Appropriations Act (GAA). Also modifies years of audited data that shall be used in calculating disproportionate share payment.</p> <p>Amends s. 409.9113, F.S., to direct AHCA to make disproportionate share payments to teaching hospitals as provided in the GAA.</p> <p>Amends s. 409.9119, F.S. to direct AHCA to make disproportionate share payments to specialty hospitals for children.</p>

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Line	HB 5003 Section	SB 2502 Section	Description
11	6	29	AHCA-MEDICAID BUDGET AMENDMENT. Authorization for AHCA to realign Medicaid Expenditure categories without LBC approval to maximize use of state trust funds and pay expenditures in the appropriate category.
12	N/A	30	PROGRAM FOR ALL-INCLUSIVE CARE FOR THE ELDERLY. Provides for PACE organization to serve persons in Escambia, Okaloosa and Santa Rosa Counties.
13	7	31	AHCA BUDGET AMENDMENTS FOR FLORIDA KIDCARE. Authorization for AHCA and DOH to realign KidCare expenditure categories without LBC approval to maximize use of state trust funds and pay expenditures in the appropriate category.
14	8	32-33	<p>DEPARTMENT OF HEALTH RULE ADOPTION - MEDICAL MARIJUANA. Amends s. 381.986, F.S. to provide that the Department of Health is not required to prepare a statement of estimated regulatory costs when promulgating rules relating to medical marijuana testing laboratories, and any such rules adopted prior to July 1, 2021, are exempt from the legislative ratification provision of s. 120.541(3), F.S. Medical marijuana treatment centers are authorized to use a laboratory that has not been certified by the department until rules relating to medical marijuana testing laboratories are adopted by the department, but no later than July 1, 2021.</p> <p>Senate bill: Also amends s. 381.988, F.S.</p>
15	N/A	34-35	DEPARTMENT OF HEALTH RULE ADOPTION - MEDICAL MARIJUANA. Amends subsection (1) of section 14 of chapter 2017-232, Laws of Florida, to provide emergency rulemaking authority to the Department of Health to adopt rules necessary to implement provisions of s. 381.986, F.S., and to provide that rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act to replace emergency rules adopted under section 14 of ch. 2017-232, L.O.F., are exempt from the legislative ratification provisions of ss. 120.54(3)(b) and 120.541, F.S.
16	9	37	DCF BUDGET AMENDMENTS. Allows the DCF to submit a budget amendment to realign funding within appropriations for the Guardianship Assistance Program.

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17	10	38	PATH FORWARD INITIATIVE. Authorizes the DCF to establish a formula to distribute funding for the Path Forward initiative due to the expiration of the federal Title IV-E Waiver.
18	N/A	39	DVA PERSONAL NEEDS ALLOWANCE INCREASE. Allows a resident of a State Veterans' Nursing Home to retain \$130/month as a personal needs allowance rather than \$105/month.
19	11	n/a	DOH BUDGET AMENDMENT - HIV/AIDS PREVENTION AND TREATMENT. Authorizes DOH to submit budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues become available.
20	n/a	40	SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. Authorizes DCF to submit budget amendment to increase budget authority if additional federal revenue specific to the program becomes available.
21	13	41	DCF BUDGET AMENDMENTS - FAMILY SAFETY PROGRAM. Authorizes DCF to submit a budget amendment to realign funding between specific appropriation categories within the Family Safety Program to bring funding in line with Title IV-E federal program requirements and maximize the use of federal funds.
22	13	n/a	MANAGED CARE PLAN PAYMENTS. Amends s. 409.968, F.S. to require AHCA to set aside a portion of the managed care rates from the rate cells for special needs and home health services in the managed medical assistance and managed long term care programs to implement a home health performance incentive program. The agency must direct Medicaid managed care plans to submit to the agency proposals to ensure all covered and authorized home health services are provided to recipients, methods for measuring provider compliance and mechanisms for documenting compliance to the agency. Plans must implement a method for families and caregivers to report provider failures to provide services in real time. The agency may disburse the withheld portion of rate in the last quarter of the fiscal year only upon a documented determination by the agency that the plans ensured all covered and authorized home health services were provided.

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23	14	36	FLORIDA MEDICAID MANAGEMENT INFORMATION SYSTEM. Requires AHCA to replace the current Florida Medicaid Management Information System and provides requirements of the system. This section also establishes the executive steering committee (ESC) membership, duties and the process for ESC meetings and decisions.