

House Bill No. 569

An act relating to the Florida KidCare program; amending s. 409.8132, F.S.; providing for year-round enrollment in the Medikids program component of the Florida KidCare program; amending s. 409.8134, F.S.; providing for year-round enrollment in the Florida KidCare program; providing a time period for the validity of an application; providing an effective date.

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

Section 1. Subsection (7) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(7) ENROLLMENT.—Enrollment in the Medikids program component may ~~only occur at any time throughout the year during periodic open enrollment periods as specified in s. 409.8134.~~ A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.

Section 2. Subsection (2) of section 409.8134, Florida Statutes, is amended to read:

409.8134 Program enrollment and expenditure ceilings.—

(2) ~~Upon a unanimous recommendation by representatives from each of the four Florida KidCare administrators, The Florida KidCare program may conduct an open enrollment at any time throughout the year period for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida KidCare administrators shall work together to ensure that the year-round open enrollment period is announced statewide at least 1 month before the open enrollment is to begin. Eligible children shall be enrolled on a first-come, first-served basis using the date the open enrollment application is received. The potential open enrollment periods shall be January 1st through January 30th and September 1st through September 30th. Open Enrollment shall immediately cease when the enrollment ceiling is reached. Year-round An open enrollment shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment through federal fiscal year 2007. Any individual who is~~

~~not enrolled, including those added to the waiting list after March 11, 2004, must reapply by submitting a new application during the next open enrollment period. The application for the Florida KidCare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may resubmit the application after notification of the action taken by the program. However, the Children's Medical Services Network may annually enroll up to 120 additional children based on emergency disability criteria outside of the open enrollment periods, and the cost of serving these children must be managed within the KidCare program's appropriated or authorized levels of funding. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are is presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida KidCare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.~~

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

Approved by the Governor June 1, 2005.

Filed in Office Secretary of State June 1, 2005.