

Senate Bill No. 1092

An act relating to the Medicaid waiver program for patients who have Alzheimer's disease; amending s. 430.502, F.S.; extending the authority to continue the waiver program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a comparative study of Medicaid home and community-based-services waiver programs; requiring that the findings and recommendations be submitted to the Legislature by a specified date; providing an effective date.

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

Section 1. Subsection (9) of section 430.502, Florida Statutes, is amended to read:

430.502 Alzheimer's disease; memory disorder clinics and day care and respite care programs.—

(9) Authority to continue the waiver program specified in subsection (7) shall be automatically eliminated at the close of the 2010 2008 Regular Session of the Legislature unless further legislative action is taken to continue it prior to such time.

Section 2. The Office of Program Policy Analysis and Government Accountability shall conduct an evaluation of comparable Medicaid home and community-based-services waiver programs. The office shall consult with the Agency for Health Care Administration, the Department of Elderly Affairs, appropriate substantive and fiscal legislative committees, and other subject matter experts to determine which waiver programs should be included in the evaluation in order to make reasonable comparisons. The evaluation shall assess whether the waiver programs are more effective at delaying or preventing participants from entering institutional settings and the cost of the waiver programs across groups compared to the regular Medicaid program. The evaluation shall also assess whether specialty home and community-based-services waiver programs are more effective at keeping participants out of institutional settings than the broader home and community-based-services waiver programs and whether there is a difference in Medicaid expenditures per participant on average between specialty and broad waiver programs. The evaluation shall provide a review of the flexibility provided to states by the federal Deficit Reduction Act of 2005 in regard to home and community-based services and recommend whether this flexibility should be used instead of providing these services under the provisions of current Medicaid home and community-based-services waivers. The evaluation's findings and recommendations shall be submitted to the President of the Senate and the Speaker of the House of Representatives by February 1, 2010.

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

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.