

Senate Bill No. 1456

An act relating to medical assistance eligibility of inmates; creating s. 409.9025, F.S.; providing for suspension of medical assistance for certain incarcerated persons while such persons are inmates; providing an exception; providing for eligibility following release from incarceration; providing that, to the extent permitted under federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility; providing an effective date.

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

Section 1. Section 409.9025, Florida Statutes, is created to read:

409.9025 Eligibility while an inmate.—

(1) Notwithstanding any other provision of law other than s. 409.9021, in the event that a person who is an inmate in the state's correctional system as defined in s. 944.02, in a county detention facility as defined in s. 951.23, or in a municipal detention facility as defined in s. 951.23 was in receipt of medical assistance under this chapter immediately prior to being admitted as an inmate, such person shall remain eligible for medical assistance while an inmate, except that no medical assistance shall be furnished under this chapter for any care, services, or supplies provided during such time as the person is an inmate; however, nothing in this section shall be deemed as preventing the provision of medical assistance for inpatient hospital services furnished to an inmate at a hospital outside of the premises of the inmate's facility to the extent that federal financial participation is available for the costs of such services.

(2) Upon release from incarceration, such person shall continue to be eligible for receipt of medical assistance furnished under this chapter until such time as the person is otherwise determined to no longer be eligible for such assistance.

(3) To the extent permitted by federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility for medical assistance in accordance with this chapter.

Section 2. This act shall take effect July 1, 2008.

Approved by the Governor June 23, 2008.

Filed in Office Secretary of State June 23, 2008.