

Bill No. CS for CS for SB 838

Barcode 482962

CHAMBER ACTION

Senate

House

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Senator Peaden moved the following amendment:

Senate Amendment (with title amendment)

On page 69, line 24, through
page 71, line 7, delete those lines

and insert:

(f) The agency shall apply for federal waivers from the Centers for Medicare and Medicaid Services to allow recipients to purchase health care coverage through an employer-sponsored health insurance plan instead of through a Medicaid-certified plan. This provision shall be known as the opt-out option.

1. A recipient who chooses the Medicaid opt-out option shall have an opportunity for a specified period of time, as authorized under a waiver granted by the Centers for Medicare and Medicaid Services, to select and enroll in a Medicaid-certified plan. If the recipient remains in the employer-sponsored plan after the specified period, the recipient shall remain in the opt-out program for at least 1 year or until the recipient no longer has access to

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1 employer-sponsored coverage, until the employer's open
 2 enrollment period for a person who opts out in order to
 3 participate in employer-sponsored coverage, or until the
 4 person is no longer eligible for Medicaid, whichever time
 5 period is shorter.

6 2. Notwithstanding any other provision of this
 7 section, coverage, cost sharing, and any other component of
 8 employer-sponsored health insurance shall be governed by
 9 applicable state and federal laws.

10 (5) This section does not authorize the agency to
 11 implement any provision of s. 1115 of the Social Security Act
 12 experimental, pilot, or demonstration project waiver to reform
 13 the state Medicaid program in any part of the state other than
 14 the two geographic areas specified in this section unless
 15 approved by the Legislature.

16 (6) The agency shall develop and submit for approval
 17 applications for waivers of applicable federal laws and
 18 regulations as necessary to implement the managed care pilot
 19 project as defined in this section. The agency shall post all
 20 waiver applications under this section on its Internet website
 21 30 days before submitting the applications to the United
 22 States Centers for Medicare and Medicaid Services. All waiver
 23 applications shall be provided for review and comment to the
 24 appropriate committees of the Senate and House of
 25 Representatives for at least 10 working days prior to
 26 submission. All waivers submitted to and approved by the
 27 United States Centers for Medicare and Medicaid Services under
 28 this section must be submitted to the appropriate committees
 29 of the Senate and the House of Representatives in order to
 30 obtain authority for implementation as required by s.
 31 409.912(11), before program implementation. The appropriate

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1 committees shall recommend whether to approve the
 2 implementation of the waivers to the Legislature or to the
 3 Legislative Budget Commission if the Legislature is not in
 4 session. The agency shall submit a plan containing a detailed
 5 timeline for implementation and budgetary projections of the
 6 effect of the pilot program on the total Medicaid budget for
 7 the 2006-2007 through 2009-2010 fiscal years.

8 (7) Upon review and approval of the applications for
 9 waivers of applicable federal laws and regulations to
 10 implement the managed care pilot program by the Legislature,
 11 the agency may initiate adoption of rules pursuant to ss.
 12 120.536(1) and 120.54 to implement and administer the managed
 13 care pilot program as provided in this section.

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 3, lines 9-11, delete those lines

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20 and insert:

21 pilot program; requiring that the agency submit
 22 any waivers to the Legislature for approval
 23 before implementation; allowing the agency to
 24 develop rules; requiring that

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