

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2110

SPONSOR: Health, Aging and Long-Term Care Committee and Senator Silver

SUBJECT: Medicaid

DATE: April 6, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Liem	Wilson	HC	Favorable/CS
2.	_____	_____	AHS	_____
3.	_____	_____	AP	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The Committee Substitute for Senate Bill 2110 prohibits Medicaid reimbursement for dental services provided in a mobile dental unit except if the unit is owned or operated by the Department of Health or a Federally Qualified Health Center or provides services to adult Medicaid recipients in a nursing facility. The bill allows the Agency for Health Care Administration to restrict or prohibit optional services rendered by other providers in mobile units.

The bill amends s. 409.906, F.S.

II. Present Situation:

Medicaid is a medical assistance program that pays for health care for the poor and disabled. The federal government, the state, and the counties jointly fund the program. The federal government, through law and regulations, has established extensive requirements for the Medicaid Program. The Agency for Health Care Administration (AHCA) is the single state agency responsible for the Florida Medicaid Program. The Department of Children and Family Services is responsible for determining Medicaid eligibility and managing Medicaid eligibility policy, with approval of any changes by AHCA.

The statutory provisions for the Medicaid Program appear in ss. 409.901 through 409.9205, F.S. Section 409.903, F.S., specifies categories of individuals who are required by federal law to be covered, if determined eligible, by the Medicaid Program (mandatory coverage groups). Section 409.904, F.S., specifies categories of individuals who the federal government gives state Medicaid programs the choice of covering (optional coverage groups). Sections 409.905 and

409.906, F.S., specify the medical and other services the state may provide under the state Medicaid plan.

Section 409.906(1), F.S., provides for Medicaid coverage of denture services for adult Medicaid recipients. Section 409.906(6), F.S., provides for Medicaid coverage for comprehensive dental services for Medicaid recipients under the age of 21.

According to the Agency for Health Care Administration, the Medicaid program has, in its provider billing instructions, has restricted the use of some types of mobile medical care units. Medicaid believes that the providers using mobile units do not provide access to reasonable 24-hour emergency care, and that it is virtually impossible for the agency to ensure the quality of care rendered by mobile providers. Medicaid staff are aware of multiple circumstances involving questionable radiography techniques, suspect supervision of questionably trained auxiliary staff, disarrayed and dirty facilities, questionable sterilization techniques, and questionable medical necessity for various services that were provided and billed.

The Agency for Health Care Administration reports that a similar restriction in rule on Advanced Registered Nurse Practitioner mobile units was successfully challenged in an administrative hearing based on a lack of statutory authority on the part of AHCA to impose the restriction.

III. Effect of Proposed Changes:

The bill prohibits Medicaid reimbursement of dental services provided in a mobile dental unit except for a mobile dental unit owned or operated by the Department of Health or a Federally Qualified Health Center in compliance with Medicaid program specifications or a mobile dental unit that provides services at a nursing facility. The bill allows the Agency for Health Care Administration to restrict or prohibit optional services rendered by other providers in mobile units.

The effective date of the bill is July 1, 2001.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Art. III, s. 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill may prevent private providers of legitimate, high quality mobile medical services from providing services to Medicaid recipients.

C. Government Sector Impact:

The Agency for Health Care Administration does not project a fiscal impact for the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
