

By Senator Sobel

31-00523-11

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1                   A bill to be entitled  
2       An act relating to the Florida Kidcare program;  
3       amending s. 1006.06, F.S.; requiring that the  
4       application form for the school breakfast and lunch  
5       programs also allow application for the Kidcare  
6       program or provide information about applying for the  
7       program; amending s. 624.91, F.S.; requiring the  
8       Florida Healthy Kids Corporation to include use of the  
9       school breakfast and lunch application form in the  
10      corporation's plan for publicizing the program;  
11      providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15       Section 1. Subsection (7) is added to section 1006.06,  
16 Florida Statutes, to read:

17       1006.06 School food service programs.—

18       (7) The application form for the lunch program under  
19 subsection (4) and the breakfast program under subsection (5)  
20 must allow the student to also apply for the Florida Kidcare  
21 program under ss. 409.810-409.821. In the alternative, the  
22 application form must provide information about the Kidcare  
23 program as well as contact information or a link to the Kidcare  
24 online application.

25       Section 2. Paragraph (b) of subsection (5) of section  
26 624.91, Florida Statutes, is amended to read:

27       624.91 The Florida Healthy Kids Corporation Act.—

28       (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

29       (b) The Florida Healthy Kids Corporation shall:

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30 1. Arrange for the collection of any family, local  
31 contributions, or employer payment or premium, in an amount to  
32 be determined by the board of directors, to provide for payment  
33 of premiums for comprehensive insurance coverage and for the  
34 actual or estimated administrative expenses.

35 2. Arrange for the collection of any voluntary  
36 contributions ~~to provide~~ for payment of ~~Florida~~ Kidcare program  
37 premiums for children who are not eligible for medical  
38 assistance under Title XIX or Title XXI of the Social Security  
39 Act.

40 3. Subject to ~~the provisions of~~ s. 409.8134, accept  
41 voluntary supplemental local match contributions that comply  
42 with ~~the requirements of~~ Title XXI of the Social Security Act  
43 for the purpose of providing additional ~~Florida~~ Kidcare coverage  
44 in contributing counties under Title XXI.

45 4. Establish the administrative and accounting procedures  
46 for the operation of the corporation.

47 5. Establish, with consultation from appropriate  
48 professional organizations, standards for preventive health  
49 services and providers and comprehensive insurance benefits  
50 appropriate to children if, ~~provided that~~ such standards for  
51 rural areas do ~~shall~~ not limit primary care providers to board-  
52 certified pediatricians.

53 6. Determine eligibility for children seeking to  
54 participate in the Title XXI-funded components of the ~~Florida~~  
55 Kidcare program consistent with the requirements specified in s.  
56 409.814, as well as the non-Title-XXI-eligible children as  
57 provided in subsection (3).

58 7. Establish procedures under which providers of local

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59 match to, applicants to, and participants in the program may  
60 have grievances reviewed by an impartial body and reported to  
61 the board of directors of the corporation.

62 8. Establish participation criteria and, if appropriate,  
63 contract with an authorized insurer, health maintenance  
64 organization, or third-party administrator to provide  
65 administrative services to the corporation.

66 9. Establish enrollment criteria that include penalties or  
67 30-day waiting periods ~~of 30 days~~ for reinstatement of coverage  
68 upon voluntary cancellation for nonpayment of family premiums.

69 10. Contract with authorized insurers or providers ~~any~~  
70 ~~provider~~ of health care services, who meet ~~meeting~~ standards  
71 established by the corporation, for the provision of  
72 comprehensive insurance coverage to participants. Such standards  
73 must ~~shall~~ include criteria under which the corporation may  
74 contract with more than one provider of health care services in  
75 program sites. Health plans shall be selected through a  
76 competitive bid process. The Florida Healthy Kids Corporation  
77 shall purchase goods and services in the most cost-effective  
78 manner consistent with the delivery of quality medical care. The  
79 maximum administrative cost for a Florida Healthy Kids  
80 Corporation contract is ~~shall be~~ 15 percent. For health care  
81 contracts, the minimum medical loss ratio for a Florida Healthy  
82 Kids Corporation contract is ~~shall be~~ 85 percent. For dental  
83 contracts, the remaining compensation to be paid to the  
84 authorized insurer or provider must be at least ~~under a Florida~~  
85 ~~Healthy Kids Corporation contract shall be no less than an~~  
86 ~~amount which is~~ 85 percent of the premium, ~~and,~~ to the extent  
87 any contract provision does not provide for this minimum

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88 compensation, this section prevails ~~shall prevail~~. The health  
89 plan selection criteria and scoring system, and the scoring  
90 results, shall be available upon request for inspection after  
91 the bids have been awarded.

92 11. Establish disenrollment criteria if ~~in the event~~ local  
93 matching funds are insufficient to cover enrollments.

94 12. Develop and implement a plan to publicize the Florida  
95 Kidcare program, the eligibility requirements of the program,  
96 and the procedures for enrollment in the program and to maintain  
97 public awareness of the corporation and the program. Such plan  
98 must include using the application form for the school lunch and  
99 breakfast programs as provided under s. 1006.06(7).

100 13. Secure staff necessary to properly administer the  
101 corporation. Staff costs shall be funded from state and local  
102 matching funds and such other private or public funds as become  
103 available. The board of directors shall determine the number of  
104 staff members necessary to administer the corporation.

105 14. In consultation with the partner agencies, provide an  
106 annual ~~a~~ report on the Florida Kidcare program ~~annually~~ to the  
107 Governor, the Chief Financial Officer, the Commissioner of  
108 Education, the President of the Senate, the Speaker of the House  
109 of Representatives, and the Minority Leaders of the Senate and  
110 the House of Representatives.

111 15. Provide information on a quarterly basis to the  
112 Legislature and the Governor which compares the costs and  
113 utilization of the full-pay enrolled population and the Title  
114 XXI-subsidized enrolled population in the Florida Kidcare  
115 program. ~~The information,~~ At a minimum, the information must  
116 include:

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117           a. The monthly enrollment and expenditure for full-pay  
118 enrollees in the Medikids and Florida Healthy Kids programs  
119 compared to the Title XXI-subsidized enrolled population; and

120           b. The costs and utilization by service of the full-pay  
121 enrollees in the Medikids and Florida Healthy Kids programs and  
122 the Title XXI-subsidized enrolled population.

123

124 By February 1, 2010, the Florida Healthy Kids Corporation shall  
125 provide a study to the Legislature and the Governor on premium  
126 impacts to the subsidized portion of the program from the  
127 inclusion of the full-pay program, which must ~~shall~~ include  
128 recommendations on how to eliminate or mitigate possible impacts  
129 to the subsidized premiums.

130           16. Establish benefit packages that conform to ~~the~~  
131 ~~provisions of~~ the Florida Kidcare program, as created in ss.  
132 409.810-409.821.

133           Section 3. This act shall take effect July 1, 2011.