

By the Committee on Health Regulation; and Senators Sobel,
Gaetz, and Fasano

588-01830-11

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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 school districts
4 to collaborate with the Florida Kidcare program to use
5 the application form for the school breakfast and
6 lunch programs to provide information about the
7 Florida Kidcare program and to authorize data on the
8 application form be shared with state agencies and the
9 Florida Healthy Kids Corporation and its agents;
10 authorizing each school district the option to share
11 the data electronically; requiring interagency
12 agreements to ensure that the data exchanged is
13 protected from unauthorized disclosure and is used
14 only for enrollment in the Florida Kidcare program;
15 amending s. 624.91, F.S.; requiring the Florida
16 Healthy Kids Corporation to include use of the school
17 breakfast and lunch application form in the
18 corporation's plan for publicizing the program;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Subsection (7) is added to section 1006.06,
24 Florida Statutes, to read:

25 1006.06 School food service programs.—

26 (7) Each school district shall collaborate with the Florida
27 Kidcare program created pursuant to ss. 409.810-409.821 to:

28 (a) At a minimum:

29 1. Provide application information about the Kidcare

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30 program or an application for Kidcare to students at the
31 beginning of each school year.

32 2. Modify the school district's application form for the
33 lunch program under subsection (4) and the breakfast program
34 under subsection (5) to incorporate a provision that permits the
35 school district to share data from the application form with the
36 state agencies and the Florida Healthy Kids Corporation and its
37 agents that administer the Kidcare program unless the child's
38 parent or guardian opts out of the provision.

39 (b) At the option of the school district, share income and
40 other demographic data through an electronic interchange with
41 the Florida Healthy Kids Corporation and other state agencies in
42 order to determine eligibility for the Kidcare program on a
43 regular and periodic basis.

44 (c) Establish interagency agreements ensuring that data
45 exchanged under this subsection is used only to enroll eligible
46 children in the Florida Kidcare program and is protected from
47 unauthorized disclosure pursuant to 42 U.S.C. s. 1758(b)(6).

48 Section 2. Paragraph (b) of subsection (5) of section
49 624.91, Florida Statutes, is amended to read:

50 624.91 The Florida Healthy Kids Corporation Act.—

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

52 (b) The Florida Healthy Kids Corporation shall:

53 1. Arrange for the collection of any family, local
54 contributions, or employer payment or premium, in an amount to
55 be determined by the board of directors, to provide for payment
56 of premiums for comprehensive insurance coverage and for the
57 actual or estimated administrative expenses.

58 2. Arrange for the collection of any voluntary

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59 contributions ~~to provide~~ for payment of ~~Florida~~ Kidcare program
60 premiums for children who are not eligible for medical
61 assistance under Title XIX or Title XXI of the Social Security
62 Act.

63 3. Subject to ~~the provisions of~~ s. 409.8134, accept
64 voluntary supplemental local match contributions that comply
65 with ~~the requirements of~~ Title XXI of the Social Security Act
66 for the purpose of providing additional ~~Florida~~ Kidcare coverage
67 in contributing counties under Title XXI.

68 4. Establish the administrative and accounting procedures
69 for the operation of the corporation.

70 5. Establish, with consultation from appropriate
71 professional organizations, standards for preventive health
72 services and providers and comprehensive insurance benefits
73 appropriate to children if, provided that such standards for
74 rural areas do ~~shall~~ not limit primary care providers to board-
75 certified pediatricians.

76 6. Determine eligibility for children seeking to
77 participate in the Title XXI-funded components of the ~~Florida~~
78 Kidcare program consistent with the requirements specified in s.
79 409.814, as well as the non-Title-XXI-eligible children as
80 provided in subsection (3).

81 7. Establish procedures under which providers of local
82 match to, applicants to, and participants in the program may
83 have grievances reviewed by an impartial body and reported to
84 the board of directors of the corporation.

85 8. Establish participation criteria and, if appropriate,
86 contract with an authorized insurer, health maintenance
87 organization, or third-party administrator to provide

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88 administrative services to the corporation.

89 9. Establish enrollment criteria that include penalties or
90 30-day waiting periods ~~of 30 days~~ for reinstatement of coverage
91 upon voluntary cancellation for nonpayment of family premiums.

92 10. Contract with authorized insurers or providers ~~any~~
93 ~~provider~~ of health care services, who meet ~~meeting~~ standards
94 established by the corporation, for the provision of
95 comprehensive insurance coverage to participants. Such standards
96 must ~~shall~~ include criteria under which the corporation may
97 contract with more than one provider of health care services in
98 program sites. Health plans shall be selected through a
99 competitive bid process. The Florida Healthy Kids Corporation
100 shall purchase goods and services in the most cost-effective
101 manner consistent with the delivery of quality medical care. The
102 maximum administrative cost for a Florida Healthy Kids
103 Corporation contract is ~~shall be~~ 15 percent. For health care
104 contracts, the minimum medical loss ratio for a Florida Healthy
105 Kids Corporation contract is ~~shall be~~ 85 percent. For dental
106 contracts, the remaining compensation to be paid to the
107 authorized insurer or provider must be at least ~~under a Florida~~
108 ~~Healthy Kids Corporation contract shall be no less than an~~
109 ~~amount which is~~ 85 percent of the premium, ~~and,~~ to the extent
110 any contract provision does not provide for this minimum
111 compensation, this section prevails ~~shall prevail~~. The health
112 plan selection criteria and scoring system, and the scoring
113 results, shall be available upon request for inspection after
114 the bids have been awarded.

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

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117 12. Develop and implement a plan to publicize the Florida
118 Kidcare program, the eligibility requirements of the program,
119 and the procedures for enrollment in the program and to maintain
120 public awareness of the corporation and the program. Such plan
121 must include using the application form for the school lunch and
122 breakfast programs as provided under s. 1006.06(7).

123 13. Secure staff necessary to properly administer the
124 corporation. Staff costs shall be funded from state and local
125 matching funds and such other private or public funds as become
126 available. The board of directors shall determine the number of
127 staff members necessary to administer the corporation.

128 14. In consultation with the partner agencies, provide an
129 annual ~~a~~ report on the Florida Kidcare program ~~annually~~ to the
130 Governor, the Chief Financial Officer, the Commissioner of
131 Education, the President of the Senate, the Speaker of the House
132 of Representatives, and the Minority Leaders of the Senate and
133 the House of Representatives.

134 15. Provide information on a quarterly basis to the
135 Legislature and the Governor which compares the costs and
136 utilization of the full-pay enrolled population and the Title
137 XXI-subsidized enrolled population in the Florida Kidcare
138 program. ~~The information,~~ At a minimum, the information must
139 include:

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

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

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147 By February 1, 2010, the Florida Healthy Kids Corporation shall
148 provide a study to the Legislature and the Governor on premium
149 impacts to the subsidized portion of the program from the
150 inclusion of the full-pay program, which must ~~shall~~ include
151 recommendations on how to eliminate or mitigate possible impacts
152 to the subsidized premiums.

153 16. Establish benefit packages that conform to ~~the~~
154 ~~provisions of~~ the Florida Kidcare program, as created in ss.
155 409.810-409.821.

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