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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

05/05/2011 03:25 PM

Senator Fasano moved the following:

Senate Amendment (with title amendment)

Between lines 752 and 753

insert:

Section 10. Subsection (18) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive



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14 bidding pursuant to s. 287.057, and other mechanisms the agency
15 considers efficient and effective for purchasing services or
16 goods on behalf of recipients. If a provider is reimbursed based
17 on cost reporting and submits a cost report late and that cost
18 report would have been used to set a lower reimbursement rate
19 for a rate semester, then the provider's rate for that semester
20 shall be retroactively calculated using the new cost report, and
21 full payment at the recalculated rate shall be effected
22 retroactively. Medicare-granted extensions for filing cost
23 reports, if applicable, shall also apply to Medicaid cost
24 reports. Payment for Medicaid compensable services made on
25 behalf of Medicaid eligible persons is subject to the
26 availability of moneys and any limitations or directions
27 provided for in the General Appropriations Act or chapter 216.
28 Further, nothing in this section shall be construed to prevent
29 or limit the agency from adjusting fees, reimbursement rates,
30 lengths of stay, number of visits, or number of services, or
31 making any other adjustments necessary to comply with the
32 availability of moneys and any limitations or directions
33 provided for in the General Appropriations Act, provided the
34 adjustment is consistent with legislative intent.

35 (18) Unless otherwise provided ~~for~~ in the General
36 Appropriations Act, a provider of transportation services shall
37 be reimbursed the lesser of the amount billed by the provider or
38 the Medicaid maximum allowable fee established by the agency,
39 except if ~~when~~ the agency has entered into a direct contract
40 with the provider, or with a community transportation
41 coordinator, for the provision of an all-inclusive service, or
42 if ~~when~~ services are provided pursuant to an agreement



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43 negotiated between the agency and the provider. The agency, as
44 provided for in s. 427.0135, shall purchase transportation
45 services through the community coordinated transportation
46 system, if available, unless the agency, after consultation with
47 the commission, determines that it cannot reach mutually
48 acceptable contract terms with the commission. The agency may
49 then contract for the same transportation services provided in a
50 more cost-effective manner and of comparable or higher quality
51 and standards. ~~Nothing in~~

52 (a) This subsection does not ~~shall be construed to~~ limit or
53 preclude the agency from contracting for services using a
54 prepaid capitation rate or from establishing maximum fee
55 schedules, individualized reimbursement policies by provider
56 type, negotiated fees, prior authorization, competitive bidding,
57 increased use of mass transit, or any other mechanism that the
58 agency considers efficient and effective for the purchase of
59 services on behalf of Medicaid clients, including implementing a
60 transportation eligibility process.

61 (b) The agency may ~~shall not be required to~~ contract with
62 any community transportation coordinator or transportation
63 operator that has been determined by the agency, the Department
64 of Legal Affairs Medicaid Fraud Control Unit, or any other state
65 or federal agency to have engaged in any abusive or fraudulent
66 billing activities.

67 (c) The agency shall ~~is authorized to~~ competitively procure
68 transportation services or make other changes necessary to
69 secure approval of federal waivers needed to permit federal
70 financing of Medicaid transportation services at the service
71 matching rate rather than the administrative matching rate.



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72 ~~Notwithstanding chapter 427, the agency is authorized to~~
73 ~~continue contracting for Medicaid nonemergency transportation~~
74 ~~services in agency service area 11 with managed care plans that~~
75 ~~were under contract for those services before July 1, 2004.~~
76

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

78 And the title is amended as follows:

79 Delete line 47

80 and insert:

81 integrity; amending s. 409.908, F.S.; requiring the
82 Agency for Health Care Administration to competitively
83 procure transportation services to permit federal
84 financing of Medicaid transportation services at the
85 service matching rate rather than the administrative
86 matching rate; deleting the provision that authorizes
87 the agency to continue contracting for Medicaid
88 nonemergency transportation services in agency service
89 area 11 with managed care plans that were under
90 contract for those services before a specified date;
91 amending s. 409.911, F.S.; providing for