LEGISLATIVE ACTION

Senate Floor: WD/2R
05/05/2011 03:25 PM

House

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

(18) Unless otherwise provided for in the General Appropriations Act, a provider of transportation services shall be reimbursed the lesser of the amount billed by the provider or the Medicaid maximum allowable fee established by the agency, except if when the agency has entered into a direct contract with the provider, or with a community transportation coordinator, for the provision of an all-inclusive service, or if when services are provided pursuant to an agreement
negotiated between the agency and the provider. The agency, as
provided for in s. 427.0135, shall purchase transportation
services through the community coordinated transportation
system, if available, unless the agency, after consultation with
the commission, determines that it cannot reach mutually
acceptable contract terms with the commission. The agency may
then contract for the same transportation services provided in a
more cost-effective manner and of comparable or higher quality
and standards. Nothing in
(a) This subsection does not shall be construed to limit or
preclude the agency from contracting for services using a
prepaid capitation rate or from establishing maximum fee
schedules, individualized reimbursement policies by provider
type, negotiated fees, prior authorization, competitive bidding,
increased use of mass transit, or any other mechanism that the
agency considers efficient and effective for the purchase of
services on behalf of Medicaid clients, including implementing a
transportation eligibility process.
(b) The agency may shall not be required to contract with
any community transportation coordinator or transportation
operator that has been determined by the agency, the Department
of Legal Affairs Medicaid Fraud Control Unit, or any other state
or federal agency to have engaged in any abusive or fraudulent
billing activities.
(c) The agency shall is authorized to competitively procure
transportation services or make other changes necessary to
secure approval of federal waivers needed to permit federal
financing of Medicaid transportation services at the service
matching rate rather than the administrative matching rate.
Notwithstanding chapter 427, the agency is authorized to continue contracting for Medicaid nonemergency transportation services in agency service area 11 with managed care plans that were under contract for those services before July 1, 2004.

And the title is amended as follows:

Delete line 47 and insert:

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