



440118

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/27/2012	.	
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The Committee on Health Regulation (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children’s Medical Services Network, a complete application includes the medical or behavioral health screening. If,



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13 subsequently, an individual is determined to be ineligible for
14 coverage, he or she must immediately be disenrolled from the
15 respective Florida Kidcare program component.

16 (4) The following children are not eligible to receive
17 Title XXI-funded premium assistance for health benefits coverage
18 under the Florida Kidcare program, except under Medicaid if the
19 child would have been eligible for Medicaid under s. 409.903 or
20 s. 409.904 as of June 1, 1997:

21 (a) A child who is eligible for coverage under a state
22 health benefit plan on the basis of a family member's employment
23 with a public agency in the state.

24 (b) A child who is covered under a family member's group
25 health benefit plan or under other private or employer health
26 insurance coverage, if the cost of the child's participation is
27 not greater than 5 percent of the family's income. If a child is
28 otherwise eligible for a subsidy under the Florida Kidcare
29 program and the cost of the child's participation in the family
30 member's health insurance benefit plan is greater than 5 percent
31 of the family's income, the child may enroll in the appropriate
32 subsidized Kidcare program.

33 (c) A child who is seeking premium assistance for the
34 Florida Kidcare program through employer-sponsored group
35 coverage, if the child has been covered by the same employer's
36 group coverage during the 60 days before the family submitted
37 ~~prior to the family's submitting~~ an application for
38 determination of eligibility under the program.

39 (d) A child who is an alien, and is not lawfully present
40 ~~but who does not meet the definition of qualified alien,~~ in the
41 United States. For purposes of eligibility for the Florida



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42 Kidcare program, the term "lawfully present" means that the
43 child is an immigrant or noncitizen who has been inspected and
44 admitted into the United States and not overstayed the period
45 for which the child was admitted, or has current permission from
46 the United States Citizenship and Immigrant Services to stay or
47 live in the United States.

48 (e) A child who is an inmate of a public institution or a
49 patient in an institution for mental diseases.

50 (f) A child who is otherwise eligible for premium
51 assistance for the Florida Kidcare program and has had his or
52 her coverage in an employer-sponsored or private health benefit
53 plan voluntarily canceled in the last 60 days, except those
54 children whose coverage was voluntarily canceled for good cause,
55 including, but not limited to, the following circumstances:

56 1. The cost of participation in an employer-sponsored
57 health benefit plan is greater than 5 percent of the family's
58 income;

59 2. The parent lost a job that provided an employer-
60 sponsored health benefit plan for children;

61 3. The parent who had health benefits coverage for the
62 child is deceased;

63 4. The child has a medical condition that, without medical
64 care, would cause serious disability, loss of function, or
65 death;

66 5. The employer of the parent canceled health benefits
67 coverage for children;

68 6. The child's health benefits coverage ended because the
69 child reached the maximum lifetime coverage amount;

70 7. The child has exhausted coverage under a COBRA



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71 continuation provision;

72 8. The health benefits coverage does not cover the child's
73 health care needs; or

74 9. Domestic violence led to loss of coverage.

75 Section 2. Subsection (1) of section 409.903, Florida
76 Statutes, is amended to read:

77 409.903 Mandatory payments for eligible persons.—The agency
78 shall make payments for medical assistance and related services
79 on behalf of the following persons who the department, or the
80 Social Security Administration by contract with the Department
81 of Children and Family Services, determines to be eligible,
82 subject to the income, assets, and categorical eligibility tests
83 set forth in federal and state law. Payment on behalf of these
84 Medicaid eligible persons is subject to the availability of
85 moneys and any limitations established by the General
86 Appropriations Act or chapter 216.

87 (1) Low-income families with children are eligible for
88 Medicaid provided they meet the following requirements:

89 (a) The family includes a dependent child who is living
90 with a caretaker relative.

91 (b) The family's income does not exceed the gross income
92 test limit.

93 (c) The family's countable income and resources do not
94 exceed the applicable Aid to Families with Dependent Children
95 (AFDC) income and resource standards under the AFDC state plan
96 in effect in July 1996, except as amended in the Medicaid state
97 plan to conform as closely as possible to the requirements of
98 the welfare transition program, to the extent permitted by
99 federal law.



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100 (d) A child, 18 years of age or less, who is an immigrant
101 or noncitizen who has been inspected and admitted into the
102 United States and not overstayed the period for which the child
103 was admitted, or has current permission from the United States
104 Citizenship and Immigrant Services to stay or live in the United
105 States and who meets the Medicaid eligibility requirements, may
106 enroll in Medicaid, regardless of the child's date of entry.

107 Section 3. This act shall take effect July 1, 2012.

108
109 ===== T I T L E A M E N D M E N T =====

110 And the title is amended as follows:

111 Delete everything before the enacting clause
112 and insert:

113 A bill to be entitled

114 An act relating to the Florida Kidcare program; amending s.
115 409.814, F.S.; making certain immigrant or noncitizen children
116 who are lawfully residing in the United States eligible for the
117 Florida Kidcare program; amending s. 409.903, F.S.; making
118 certain immigrant or noncitizen children who are lawfully
119 residing in the United States eligible for Medicaid; providing
120 an effective date.