

1 A bill to be entitled
 2 An act relating to trust funds; creating s. 638.655,
 3 F.S.; creating the Healthy Florida Trust Fund within
 4 the Office of Insurance Regulation; providing for
 5 purpose of trust fund and source of funds; providing
 6 for future review and termination or re-creation of
 7 trust fund; providing a contingent effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Effective upon the same date that HB 697 or
 12 similar legislation takes effect, if such legislation is adopted
 13 in the same legislative session or an extension thereof and
 14 becomes a law, section 638.655, Florida Statutes, is created to
 15 read:

16 638.655 The Healthy Florida Trust Fund.—

17 (1) The Healthy Florida Trust Fund is created within the
 18 Office of Insurance Regulation for the purposes of this chapter.
 19 Moneys in the fund that are unexpended or unencumbered at the
 20 end of a fiscal year may be carried forward to the next
 21 succeeding fiscal year.

22 (2) Moneys deposited in the fund may not be expended,
 23 loaned, or appropriated except as provided in this chapter.

24 (3) The board must establish and maintain a prudent
 25 reserve in the fund.

26 (4) The board or staff of the board may not use funds
27 intended for the administrative and operational expenses of the
28 board for staff retreats, promotional giveaways, excessive
29 executive compensation, or promotion of federal or state
30 legislative or regulatory modifications.

31 (5) Notwithstanding any other law, interest earned on the
32 moneys that have been deposited into the fund must be retained
33 in the fund and used consistent with the purposes of the fund.

34 (6) The fund consists of all of the following:

35 (a) Moneys obtained pursuant to legislation enacted as
36 proposed under s. 638.657.

37 (b) Federal payments received as a result of any waiver of
38 requirements granted or other arrangements agreed to by the
39 United States Secretary of Health and Human Services or other
40 appropriate federal officials for health care programs
41 established under Medicare, any federally matched public health
42 program, or the Affordable Care Act.

43 (c) The amounts paid by state agencies that are equivalent
44 to those amounts that are paid on behalf of residents of this
45 state under Medicare, any federally matched public health
46 program, or the Affordable Care Act for health benefits that are
47 equivalent to health benefits covered under Healthy Florida.

48 (d) Federal and state funds for purposes of the provision
49 of services authorized under Title XX of the Social Security
50 Act, 42 U.S.C. ss. 1397 et seq., that are covered under Healthy

51 Florida.

52 (e) State moneys that are appropriated to any governmental
 53 agency, office, program, instrumentality, or institution that
 54 provides health care services for services and benefits covered
 55 under Healthy Florida. Payments to the fund pursuant to this
 56 section must be in an amount equal to the money appropriated for
 57 those purposes in the 2018-2019 fiscal year.

58 (7) All federal moneys must be placed into the Healthy
 59 Florida Federal Funds Account, which is hereby created within
 60 the Healthy Florida Trust Fund.

61 (8) Moneys in the fund shall be used only for the purposes
 62 established in this chapter.

63 (9) In accordance with s. 19(f)(2), Art. III of the State
 64 Constitution, the Healthy Florida Trust Fund shall, unless
 65 terminated sooner, be terminated on July 1, 2023. Before its
 66 scheduled termination, the trust fund shall be reviewed as
 67 provided in s. 215.3206(1) and (2).

68 Section 2. This act shall take effect on the same date
 69 that HB 697 or similar legislation takes effect, if such
 70 legislation is enacted in the same legislative session or an
 71 extension thereof and becomes a law.