

1                   A bill to be entitled  
2       An act relating to Medicaid enrollment for permanently  
3       disabled individuals; amending s. 409.904, F.S.;  
4       requiring that certain Medicaid-eligible persons who  
5       receive specified Medicaid-covered services and who  
6       are permanently disabled be presumed eligible for  
7       continued Medicaid coverage during redetermination  
8       processes; requiring the Agency for Health Care  
9       Administration to continue to make payments for such  
10      services; providing exceptions; requiring the agency  
11      to seek modifications to federal authorization to  
12      establish lifetime benefits for such persons;  
13      providing an effective date.

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

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17           **Section 1. Subsection (1) of section 409.904, Florida**  
18   **Statutes, is amended to read:**

19       409.904 Optional payments for eligible persons.—The agency  
20      may make payments for medical assistance and related services on  
21      behalf of the following persons who are determined to be  
22      eligible subject to the income, assets, and categorical  
23      eligibility tests set forth in federal and state law. Payment on  
24      behalf of these Medicaid eligible persons is subject to the  
25      availability of moneys and any limitations established by the

26 General Appropriations Act or chapter 216.

27 (1) (a) Subject to federal waiver approval, a person who is  
28 age 65 or older or is determined to be disabled, whose income is  
29 at or below 88 percent of the federal poverty level, whose  
30 assets do not exceed established limitations, and who is not  
31 eligible for Medicare or, if eligible for Medicare, is also  
32 eligible for and receiving Medicaid-covered institutional care  
33 services, hospice services, or home and community-based  
34 services. The agency shall seek federal authorization through a  
35 waiver to provide this coverage.

36 (b)1. A person who is eligible for Medicaid under  
37 paragraph (a) and receiving Medicaid-covered institutional care  
38 services, hospice services, or home and community-based services  
39 pursuant to s. 393.066 or s. 409.978 and who is permanently  
40 disabled shall be presumed eligible for continued coverage for  
41 these Medicaid-covered services during any redetermination  
42 process, and the agency shall continue to make payments for such  
43 services, unless information becomes available that conclusively  
44 documents a change in the person's disability or economic status  
45 that would affect eligibility.

46 2. The agency shall seek modifications to federal  
47 authorization to establish lifetime benefits for a permanently  
48 disabled person as described in subparagraph 1.

49 **Section 2.** This act shall take effect July 1, 2025.