



740112

LEGISLATIVE ACTION

Senate

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House

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Senator Sobel moved the following:

1           **Senate Amendment to Amendment (725590) (with title**  
2 **amendment)**

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4           Between lines 169 and 170  
5 insert:

6           Section 2. Subsection (2) of Section 391.021, Florida  
7 Statutes, is amended to read:

8           391.021 Definitions.—When used in this act, the term:

9           (2) "Children with special health care needs" means those  
10 children younger than 21 years of age who have chronic ~~and~~  
11 ~~serious~~ physical, developmental, behavioral, or emotional



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12 conditions and who require health care and related services of a  
13 type or amount beyond that which is generally required by  
14 children.

15 Section 3. Section 391.029, Florida Statutes, is amended to  
16 read:

17 391.029 Program eligibility.—

18 ~~(1) Eligibility for the Children's Medical Services program~~  
19 ~~is based on the diagnosis of one or more chronic and serious~~  
20 ~~medical conditions and the family's need for specialized~~  
21 ~~services.~~

22 (1)~~(2)~~ The following individuals are eligible to receive  
23 services through the program:

24 (a) A high-risk pregnant female who is enrolled in  
25 Medicaid.

26 (b) Children with serious special health care needs from  
27 birth to 21 years of age who are enrolled in Medicaid.

28 (c) Children with ~~serious~~ special health care needs from  
29 birth to 19 years of age who are enrolled in a program under  
30 Title XXI of the Social Security Act.

31 (2)~~(3)~~ Subject to the availability of funds, the following  
32 individuals may receive services through the program:

33 (a) Children with ~~serious~~ special health care needs from  
34 birth to 21 years of age who do not qualify for Medicaid or  
35 Title XXI of the Social Security Act but who are unable to  
36 access, due to lack of providers or lack of financial resources,  
37 specialized services that are medically necessary or essential  
38 family support services. Families shall participate financially  
39 in the cost of care based on a sliding fee scale established by  
40 the department.



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41 (b) Children with special health care needs from birth to  
42 21 years of age, as provided in Title V of the Social Security  
43 Act.

44 (c) An infant who receives an award of compensation under  
45 s. 766.31(1). The Florida Birth-Related Neurological Injury  
46 Compensation Association shall reimburse the Children's Medical  
47 Services Network the state's share of funding, which must  
48 thereafter be used to obtain matching federal funds under Title  
49 XXI of the Social Security Act.

50 (3)~~(4)~~ Any child who has been provided with surgical or  
51 medical care or treatment under this act prior to being adopted  
52 and has a special health care need ~~serious and chronic special~~  
53 ~~health needs~~ shall continue to be eligible to be provided with  
54 such care or treatment after his or her adoption, regardless of  
55 the financial ability of the persons adopting the child.

56  
57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Between lines 762 and 763

60 insert:

61 amending s. 391.021, F.S.; revising the definition of  
62 the term "children with special health care needs";  
63 amending s. 391.029, F.S., revising eligibility  
64 requirements for the Children's Medical Services  
65 program;