



Volume X, Issue 1 • December 14, 2007  
REPORT OF DECEMBER 10-14, 2007 COMMITTEE WEEK

### **Hospital-Based Medicaid Billing Issues**

After a brief meeting with Senator Rich in late November to describe on-going billing concerns, the County was invited to participate in a face-to-face meeting with several Agency for Health Care Administration (AHCA) officials with Senator Rich presiding over the discussion. Representing the Agency was Tom Arnold, outgoing AHCA Deputy Secretary for Medicaid, Clint Furhman, Deputy Secretary, Communication and Legislative Affairs, and Mark Thomas, Chief of Staff. In attendance representing the County was Neesa Warlen, Deputy Director for Human Services Department, Tony Carvalho, Governmental Consultant, as well as Pamela Landi and Gretchen Harkins, Office of Public and Governmental Relations.

The meeting offered an opportunity to reiterate billing inaccuracies and inconsistencies that have resulted in the County's rejection of \$1.5 million in invoices since May 2006. Presently, the County is responsible for funding a proportion of hospital-based care provided to Broward County residents who are Medicaid recipients. Under Florida law, if a Medicaid recipient is hospitalized more than ten but less than forty-five days in one year, the patient's county-of-residence is partially responsible for the expenses. In a situation that is unique to Broward County, the North and South Broward Hospital Districts also contribute to the Medicaid patients' hospitalization costs.

Presently, Broward County receives monthly statements from AHCA describing charges for hospital-based care for Medicaid patients; however, in many instances, the addresses provided are invalid, or are actually locations within other Florida counties. Further complicating the situation is the fact that many bills do not identify the hospital where services were provided.

In an effort to fully comply with the law, the County is requesting that hospital and address information be quality-assured by AHCA prior to remittance of monthly invoices.

AHCA attendees were receptive to addressing the concerns raised and offered to convene a conference call with additional AHCA Administrative staff during the week of December 17<sup>th</sup> to fully resolve the billing data issue.

### **Florida KidCare**

On Wednesday morning, the Senate's Health Policy Committee reported on the status of Florida's KidCare Program as it relates to the federal State Children's Health Insurance Program or SCHIP. The President's veto of the first SCHIP Reauthorization H.R. 976 last month, and subsequent veto of a compromise package this past Wednesday, is creating some concern for the financial viability of our state program. Florida KidCare is dependent upon the federal appropriation for its successful continuation.

While Florida does have unspent reserves, ensuring those presently enrolled will remain covered through the foreseeable future, tapping into those funds compromises the state's ability to balance the budget.

Additionally, a Committee Bill will be drafted to save the public records exemption for KidCare applicants. The present exemption will sunset in October, and the Health Policy Committee staff are seeking minor modifications to the current exemption's language, which (1) makes it a misdemeanor to reveal personal information, even by mistake and (2) is inconsistent with language in the Healthy Kids public records exemption. The committee bill will provide for criminal consequences only when exempted materials are knowingly and/or willfully revealed.

## **Regional Conflict Counsel Update**

The Florida Justice Administrative Commission's Executive Director, Victoria Montanaro, provided the Senate Criminal and Civil Justice Appropriations Committee with an update concerning the ongoing implementation of Chapter 2007-62, Laws of Florida, relating to Regional Conflict Counsels, at the Committee's December 13, 2007 meeting. The Committee heard that the lawsuit filed by the Florida Association of Criminal Defense Lawyers challenging the new law had resulted in several counties deciding not provide space until the lawsuit's outcome had been determined. These counties included Duval, Pinellas, Pasco, Seminole and Volusia counties. Montanaro also informed the Committee that Broward County was not providing space for the 4<sup>th</sup> District Office because none was available at or in close proximity to the courthouse. Montanaro explained that only the 2<sup>nd</sup> District's Regional Criminal Counsel Office will be fully operational by December 31<sup>st</sup>, with all other district offices becoming 100% operational by sometime in March 2008 or sooner, including the 4<sup>th</sup> District Office that serves Broward County. Montanaro also suggested the Committee revisit the salary caps imposed through the budget and the level of funding for the offices. She stated the salary caps are presenting a real challenge to hiring qualified, experienced attorneys and more funding is needed for certain programmatic areas. Committee Chair, Senator Victor Crist, expressed the Committee would consider these funding issues and hoped "that the counties would see the light" in helping these offices to become operational.

## **Ocean Outfalls**

Tuesday, December 11<sup>th</sup>, staff attended a meeting in the Governor's office along with representatives from the City of Hollywood, Miami-Dade County, Florida Department of Environmental Protection ("FDEP") and Jon Steverson, Environmental Policy Coordinator for the Governor. Steverson and FDEP expressed the need to ensure the availability of future alternative water supplies for Southeast Florida. Steverson stated that while there was no timeline set for eliminating the present ocean outfalls, exploration of alternatives should begin now. FDEP and Steverson expect

there will be legislation filed during the 2008 Session to establish a date for eliminating the use of ocean outfalls. Staff expressed its concern with FDEP or the Governor's Office proposing any legislation establishing an arbitrary date for eliminating the County's ocean outfall. Staff stressed the need for scientific studies to determine any environmental impacts to eliminating the ocean outfalls, the appropriate water supply alternatives for Broward County, and the potential economic and environmental impacts associated with constructing the necessary infrastructure for any alternatives. The parties agreed to a continued dialogue on this important issue moving forward and the need to also include the South Florida Water Management District in future discussions.

On December 12<sup>th</sup>, the Senate Environmental Preservation and Conservation Committee heard presentations from FDEP, organizations advocating the elimination of ocean outfalls (Cry of the Water and Florida Diver's Marketing Association), and staff from Broward County, City of Hollywood, and Miami-Dade County. Some members questioned the focus on costs and emphasized the need to reclaim the water discharged through the outfalls for reuse. Due to the short amount of time allocated for the issue during this week's meeting, however, Committee Chair Senator Burt Saunders will be scheduling more time for further presentations and member discussions in January or February.

## **Lobby Team Meeting**

On Wednesday, December 12<sup>th</sup> OPRG staff convened a meeting for contract lobbyists at the offices of Ronald Book, where the 2008 Legislative Program was reviewed and issue-related assignments were presented. Throughout the next week, each firm will be contacting staff to offer suggestions for legislator assignments for the upcoming session. The next Lobby Team meeting is expected to occur in January.