

**FLORIDA  
WAIVERS AND EXPENDITURE AUTHORITIES**

## ATTACHMENT A

### **Florida Title XIX Waivers**

#### **1. Statewideness and Eligibility Methods and Standards—Sections 1902(a)(1) and 1902(a)(17)**

To enable Florida to implement a program to provide benefits to evacuees who are determined to be eligible under a Home State Medicaid program on less than a statewide basis.

#### **2. Fair Hearings and Notices—Section 1902(a)(3)**

To enable Florida to make determinations of temporary eligibility status for a period of up to 5 months without according the right to fair hearings, or appeals of adverse determinations, that would be available for determinations with respect to eligibility status under the State plan. Nothing in this waiver limits the rights of such individuals to seek a determination of permanent eligibility status in the Home State with the right to fair hearings or appeals of adverse determinations.

#### **3. Comparability—Section 1902(a)(10)(B)**

To enable Florida to determine financial eligibility without using the income and resource methodologies of the AFDC or SSI programs.

To enable Florida to determine eligibility without using the income verification requirements, assets test and resource methodologies. Self attestation of displacement, gross income, immigration status, and disability status will be accepted in determining eligibility. Evacuees eligible under a disability category will be required to provide a physician's statement verifying disability.

#### **4. Cooperation in Establishing Paternity—Section 1902(a)(45)**

To permit Florida to determine eligibility for evacuees under the Home State program without requiring applicants to comply with paternity cooperation requirements of section 1912.

#### **5. Freedom of Choice—Section 1902(a)(37)**

To permit Florida to restrict the choice of provider.

**6. Provider Agreements—Section 1902(a)(32)**

To permit the provision of care in Florida by individuals or entities who have not executed a Provider Agreement with the Home State Medicaid Agency but have such an agreement with Florida.

**7. Annual Redeterminations of Eligibility—Sections 1902(a)(4) and 1902(a)(19)**

To permit delay of otherwise required redeterminations between August 24, 2005, and January 31, 2006, for evacuees enrolled in the Florida title XIX program. At Florida's option, current enrollees in the title XIX program not considered evacuees who are due for recertification between August 24, 2005, and February 28, 2006, will have their enrollment period extended.

**8. Retroactive Eligibility—Section 1902(a)(34)**

To enable Florida to waive the requirement to provide medical assistance for up to 3 months prior to the date that application for assistance under a temporary eligibility period is made for evacuees.

## **Title XXI Waivers**

### **1. Eligibility Screening—Section 2102(a)**

The State child health plan of Florida does not have to reflect the evacuee population. The title XXI simplified eligibility requirements will be applied to the evacuee population. The eligibility rules that apply to the SCHIP evacuee category are described in the Special Terms & Conditions.

### **2. Eligibility Screening—Section 2103(a)**

The title XXI income eligibility guidelines of Mississippi, Louisiana, and Alabama or the simplified eligibility chart criteria will be followed when enrolling evacuee children from these States.

### **3. Annual Redeterminations of Eligibility—Section 2102**

To permit delay of otherwise required annual redeterminations between August 24, 2005, and January 31, 2006, for evacuees enrolled in the Florida title XXI program. At Florida's option, current enrollees in title XXI program not considered evacuees who are due for recertification between August 24, 2005, and February 28, 2006, will have their enrollment period extended.

### **4. Annual Reporting Requirements—Section 2108**

To permit not applying annual reporting requirements to this evacuee population.

### **Florida Medicaid Costs Not Otherwise Matchable**

Under the authority of section 1115(a)(2) of the Act, State expenditures under the section 1115 demonstration described below (which would not otherwise be included as matchable expenditures under section 1903) shall, for the period of the project, be regarded as expenditures under the State's title XIX plan. All requirements of the Medicaid statute will be applicable to such expenditures, except those specified below as not applicable to these expenditure authorities. In addition, all requirements in the enclosed Special Terms and Conditions will apply to these expenditure authorities.

1. Florida expenditures, including both administrative and benefit costs of extending benefits during a temporary eligibility period to evacuees who fit into the demonstration population consisting of parents, pregnant women, children under age 19, individuals with disabilities, low-income Medicare recipients, and low-income individuals in need of long-term care with incomes up to and including the levels listed on the simplified eligibility chart are determined to be eligible under a Florida Medicaid program. Coverage for eligible pregnant women will be provided throughout the pregnancy and for 60 days postpartum.
2. Expenditures for Home and Community-Based Services for evacuees, including administrative and benefit costs.
3. Expenditures for services furnished to evacuees can be based on a physician's statement of need that has been given or will be obtained (in lieu of functional assessment that would otherwise be required).
- 4.

### **Section 1115 demonstration SCHIP Costs Not Otherwise Matchable**

In addition, under the authority of section 1115(a)(2) of the Act, as incorporated into title XXI by section 2106(e)(2)(A), State expenditures described below (which would not otherwise be included as matchable expenditures under title XXI) shall, for the period of this project and to the extent of the home State's available allotment under section 2104 of the Act, be regarded as matchable expenditures under the State's title XXI plan. All requirements of the title XXI statute will be applicable to such expenditures, except specified below as not applicable to these expenditure authorities. In addition, all requirements in the enclosed Special Terms and Conditions will apply to these expenditure authorities.

1. Expenditures including both administrative and benefit costs of extending benefits during a temporary eligibility period to evacuees who are determined to be eligible under a Home State SCHIP program.
2. Expenditures to permit Federal matching payment for the provision of medical assistance on behalf of a child during a temporary eligibility period that is not implemented in accordance with section 1920A.
3. Expenditures to permit delay of otherwise required redeterminations between August 24, 2005, and January 31, 2006, for evacuees enrolled in the Host State's title XXI program.

The State will establish a process to ensure that demonstration expenditures do not exceed the State's available title XXI funding.

No Federal funding for any State programs or for participants not income-eligible according to the simplified eligibility chart at attachment B.

## ATTACHMENT B

### Evacuee Eligibility Simplification Based on Home State Eligibility Rules

<b>Simplified Eligibility Groups</b>	<b>Family FPL Levels</b>
Children Under Age 19	up to and including 200% FPL
Pregnant Women from Louisiana, Mississippi and Florida	up to and including 185% FPL
Pregnant Women from Alabama	up to and including 133% FPL
Individuals with Disabilities	up to and including 300% SSI
Low-income Medicare Recipients	up to and including 100% FPL
Low-income Individuals in need of Long Term Care	up to and including 300% SSI
Low-income Parents of Children Under Age 19	up to and including 100% FPL