



FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

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Children with Medically Complex Conditions

In September of 2012 the United States Department of Justice contacted the Attorney General of Florida regarding their findings that Florida needed to improve services for children with medically complex conditions in Florida. The Agency for Health Care Administration (agency) has responded to the Department of Justice that Florida is in full compliance with applicable laws. The agency does however agree that improvements in service delivery for this population are possible and that the agency is proposing several different means to enhance services. Implementation of some of the recommendations is already underway. The agency has invited several stakeholders to the table to make recommendations about how these improvements could be achieved. The Florida Developmental Disabilities Council (the Council) is one of the members of this group.

Recently FDDC conducted research on state strategies to serve children with medically complex conditions and found:

- The TEFRA/Katie Beckett option enables the child to be Medicaid eligible and have access to all the Medicaid services under the state's Medicaid plan. When the child becomes Medicaid eligible all of the federal Early Periodic Screening Diagnostic and Treatment (EPSDT) provisions are in effect requiring that the state provide the medically necessary services to the child regardless of whether the services are in the state plan. Nineteen (19) states operate a TEFRA/Katie Beckett option.
- Home and Community Based Service Waiver, the Waiver permits the state to provide an additional array of services to children with defined characteristics such as medically complex and also assures that the child will have access to the state plan services and the protections of EPSDT. Twenty (20) states operate a Home and Community Based Services Waiver for this population.
- Florida has a Katie Beckett waiver that covers five children diagnosed with degenerative spinocerebellar disease.

FDDC Initiative:

- Work with AHCA, Department of Children and Services and Children's Medical Services to improve services to the targeted population.
- Develop recommendations for either State Plan Options or Waivers specifically for children with extensive medical needs.
- Ensure recommendations address two populations of children with medically complex conditions:
 - Children who are Medicaid eligible based upon income or SSI
 - Children who are not Medicaid eligible unless placed in a Medicaid funded institutional setting.
- Work with the legislature to establish a new Home and Community Based Waiver for children to:
 - Expand services for children who are Medicaid eligible to include services such as respite care, home adaptations, medically complex foster homes, etc.
 - Provide Medicaid coverage for children who are not otherwise eligible for community based Medicaid services and expand Medicaid services as above.