

ENROLLED

CS/HB 1193, Engrossed 1

2008 Legislature

1 A bill to be entitled

2 An act relating to maternal and child health programs;
3 amending s. 383.011, F.S.; requiring the Department of
4 Health, in administering the Special Supplemental
5 Nutrition Program for Women, Infants, and Children (WIC),
6 to compare the costs of food items redeemed by certain
7 vendors for purposes of meeting certain federal
8 requirements; prohibiting the department from
9 discontinuing certain generic products under certain
10 circumstances; restricting the funding of the program to
11 federal funds; providing for submission of budget
12 amendments by the department; amending s. 409.942, F.S.;
13 requiring the department to submit a plan to establish an
14 electronic benefit transfer program to distribute WIC
15 benefits to the United States Department of Agriculture;
16 requiring the department to establish an electronic
17 benefit transfer program to distribute WIC benefits;
18 requiring the department to collaborate with the
19 Department of Children and Family Services in developing
20 the program and pay all costs associated therewith;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Subsection (3) is added to section 383.011,
26 Florida Statutes, to read:

27 383.011 Administration of maternal and child health
28 programs.--

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29 (3) In administering the WIC program, the Department of
 30 Health:

31 (a) For purposes of meeting the federal cost neutrality
 32 requirement of 7 C.F.R. part 246, shall compare the average cost
 33 of each food item redeemed by above-50-percent vendors against
 34 the average cost of the same food item redeemed by regular
 35 vendors.

36 (b) May not discontinue a WIC-eligible generic product
 37 unless the product no longer meets the nutritional guidelines of
 38 the WIC program.

39 (c) Shall only expend funds provided by the Federal
 40 Government for the administration of the program. In the event
 41 the department exceeds the federal funding allocation, the
 42 department may submit a budget amendment to the Executive Office
 43 of the Governor requesting additional state trust fund authority
 44 to implement the program pursuant to s. 216.181(11).

45 Section 2. Section 409.942, Florida Statutes, is amended
 46 to read:

47 409.942 Electronic benefit transfer program.--

48 (1) The Department of Children and Family Services shall
 49 establish an electronic benefit transfer program for the
 50 dissemination of food stamp benefits and temporary assistance
 51 payments, including refugee cash assistance payments, asylum
 52 applicant payments, and child support disregard payments. If the
 53 Federal Government does not enact legislation or regulations
 54 providing for dissemination of supplemental security income by
 55 electronic benefit transfer, the state may include supplemental
 56 security income in the electronic benefit transfer program.

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57 (a)~~(2)~~ The department shall, in accordance with applicable
58 federal laws and regulations, develop minimum program
59 requirements and other policy initiatives for the electronic
60 benefit transfer program.

61 (b)~~(3)~~ The department shall enter into public-private
62 contracts for all provisions of electronic transfer of public
63 assistance benefits.

64 (2)~~(4)~~ Workforce Florida, Inc., through the Agency for
65 Workforce Innovation, shall establish an electronic benefit
66 transfer program for the use and management of education,
67 training, child care, transportation, and other program benefits
68 under its direction. The workforce electronic benefit transfer
69 program shall fulfill all federal and state requirements for
70 Individual Training Accounts, Retention Incentive Training
71 Accounts, Individual Development Accounts, and Individual
72 Services Accounts. The workforce electronic benefit transfer
73 program shall be designed to enable an individual who receives
74 an electronic benefit transfer card under subsection (1) to use
75 that card for purposes of benefits provided under the workforce
76 development system as well. The Department of Children and
77 Family Services shall assist Workforce Florida, Inc., in
78 developing an electronic benefit transfer program for the
79 workforce development system that is fully compatible with the
80 department's electronic benefit transfer program. The agency
81 shall reimburse the department for all costs incurred in
82 providing such assistance and shall pay all costs for the
83 development of the workforce electronic benefit transfer
84 program.

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85 (3) By January 1, 2009, the Department of Health shall
86 submit a plan for approval by the United States Department of
87 Agriculture, Bureau of Food and Nutrition Service, for the
88 implementation of a statewide electronic benefits transfer
89 program for the dissemination of benefits under the Special
90 Supplemental Nutrition Program for Women, Infants, and Children
91 (WIC), authorized by the Child Nutrition Act. The plan shall be
92 developed in consultation with authorized WIC vendors, including
93 above-50-percent vendors. By July 1, 2010, the Department of
94 Health shall establish a statewide electronic benefit transfer
95 program for the distribution of benefits under the "Special
96 Supplemental Nutrition Program for Women, Infants, and
97 Children," or WIC, authorized by the Child Nutrition Act of
98 1966, as amended.

99 (a) The WIC electronic benefit transfer program shall be
100 designed to enable an individual who receives an electronic
101 benefit transfer card under subsection (1) or subsection (2) to
102 use that card for purposes of benefits provided under the WIC
103 program.

104 (b) The Department of Children and Family Services shall
105 assist the Department of Health in developing an electronic
106 benefit transfer program for the WIC program that is fully
107 compatible with the electronic benefit transfer programs
108 operated by the Department of Children and Family Services and
109 Workforce Florida, Inc. The Department of Health shall reimburse
110 the Department of Children and Family Services for all costs
111 incurred in providing such assistance and shall pay all costs

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112 | for the development of the WIC electronic benefit transfer
113 | program.

114 | Section 3. This act shall take effect July 1, 2008.