



# The eLert!

THE E-MAIL ALERT OF THE COLLIER COUNTY MEDICAL SOCIETY



## **Change in Poverty Qualifications and Sovereign Immunity**

*Neighborhood Health Clinic*

The U.S. Department of Health and Human Services (HHS) has approved an update in federal poverty guidelines from 200% to 300%, due to the rising cost of living. Increasing the percentage will create more opportunities for people in that lower economic threshold to receive necessary care.

Sovereign Immunity in Florida, which provides liability protection for medical professionals who give back by volunteering their time to help those in need, previously took effect within the 200% federal poverty guidelines. On March 21st, a new law in Florida amends the Sovereign Immunity statutes to include those whose family income does not exceed 300% of the federal poverty level.

[Read more >](#)



# Neighborhood Health Clinic

*Dr. William and Nancy Lascheid, Founders*

## CCMS Newsletter: NHC Patient Qualification Update

The recent change in the Florida Legislature regarding statute 766.1115 will have an impact on the access to medical care for so many in need in Collier County, as well as the State of Florida. Previously, the State of Florida, Statute 766, which encompasses Sovereign Immunity had defined “poverty” as 200% of the federal poverty guidelines, as it applies to determining income qualification for patients accessing care within free and charitable clinics.

Sovereign Immunity provides liability protection for medical professionals who give back by volunteering their time and talents to help those in need. Last week, U.S. Department of Health and Human Services (HHS) approved to change federal poverty guidelines from 200% to 300%, understanding the rising cost of living in of our communities and its effect on the care for those in need. Increasing the percentage from 200% to 300% will open the doors more widely in creating opportunities for people within that lower economic threshold to receive necessary care.

Neighborhood Health Clinic has immediately made the change for those qualifying for care at the Clinic. “We see over 12,000 patient visits annually with the previous threshold of 200% federal poverty guidelines and with the change to 300% we anticipate an increase in those numbers,” says Leslie Lascheid, CEO Neighborhood Health Clinic. “We know in the qualification process in the past, we met with chronically ill individuals making between 200% and 300% who did not qualify. Getting this information out to the public now will allow those to re-qualify and receive the needed care -at no cost to them. We will be able to care for a larger segment of adults in our community who choose work over welfare.”

Below is the release from the Florida Department of Health highlighting the change:

During the 2024 session, the Florida Legislature approved a new law, Chapter 2024-015, Laws of Florida, regarding health care. The new law took effect when signed by Governor Ron DeSantis on March 21, 2024. The law changes the eligibility requirements for the Volunteer Health Care Provider Program.

Effective immediately, section 766.1115, Florida Statutes, is amended to reflect that the maximum income a patient may have in order to be considered low-income has now increased from 200 percent to 300 percent of the federal poverty level.



# Neighborhood Health Clinic

*Dr. William and Nancy Lascheid, Founders*

Amended section 766.1115(3)(e), Florida Statutes, reads as follows:

“(3) DEFINITIONS. —As used in this section, the term:

(e) “Low-income” means:

1. A person who is Medicaid-eligible under Florida law;
2. A person who is without health insurance and whose **family income does not exceed 300 percent of the federal poverty level** as defined annually by the federal Office of Management and Budget; or
3. Any client of the department who voluntarily chooses to participate in a program offered or approved by the department and meets the program eligibility guidelines of the department.”  
The Department of Health intends to initiate rulemaking to update the eligibility criteria and forms adopted in rule 64I-2.002, Florida Administrative Code. Clinics that currently have the Volunteer Health Care Provider Program Patient Referral Forms (DH-1032) may continue to utilize such forms, but should apply the updated eligibility criteria of family income that does not exceed 300 percent of the federal poverty level.