

# Court rejects Rick Scott's request for mediation on LIP funding

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A move to require the federal government to enter mediation with Florida over the future of the Low Income Pool was shot down by a federal court in Pensacola on Wednesday.

Gov. **Rick Scott** issued a statement saying his administration will "continue to fight for this important funding for low income families any and every way we can."

The governor said it is "disappointing" that the Obama Administration "keeps delaying their decision on funding the Low Income Pool in Florida."

Attorneys for the Scott Administration on Monday [filed a motion](#) to require the federal government to enter mediation with the state over continued LIP funding. The judge ordered the federal government [to respond to the order](#).

The court has scheduled a hearing on the underlying case on June 19.

Scott sued the federal government in federal court in Pensacola alleging that the Obama Administration violated the U.S. Constitution by threatening to withhold Low Income Pool dollars if Florida did not expand Medicaid under the federal healthcare law.

Scott, Attorney General **Pam Bondi** and the Agency for Health Care Administration are the plaintiffs in the 22-page lawsuit. Secretary of the U.S. Department of Health and Human Services **Sylvia Burwell** and **Andy Slavitt**, acting administrator of the Centers for Medicare and Medicaid Services, are the defendants.

The Low Income Pool program is a supplemental Medicaid financing program that is made possible under an 1115 Medicaid waiver. The federal government approved the waiver for a three- year extension but the Centers for Medicare and Medicaid Services announced last April that it would not extend the Low Income Pool beyond June 30, 2015.

The Florida Legislature was unable to pass a budget in the 2015 regular legislative session because of discord over whether LIP dollars should be included in the budget and, if so, what amount as well as Medicaid expansion. The Senate budget is \$4 billion more than the House's budget because the Senate included both LIP and Medicaid expansion but the House didn't include either in its budget.

The federal government advised Florida that it can expect to receive \$1 billion in LIP funding for the 2015-16 year and \$600,000 in the 2016-17 year. But Scott has claimed that the Legislature does not have a final approval figure and that the delay is preventing lawmakers from completing the budget.