

MEMORANDUM

Agenda Item No. 10(A)(6)

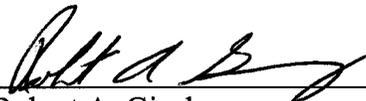
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 1, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to
protection of sovereign
immunity to doctors on staff
at Jackson Memorial Hospital

The accompanying resolution was prepared and placed on the agenda at the request of Sen. Javier D. Souto.



Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 1, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 10(A)(6)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 10(A)(6)

Veto _____

03-01-05

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
EXTEND THE PROTECTION OF SOVEREIGN IMMUNITY
TO UNIVERSITY OF MIAMI DOCTORS ON STAFF AT
JACKSON MEMORIAL HOSPITAL AND CLINICS
OPERATED BY THE PUBLIC HEALTH TRUST

WHEREAS, since 1952, the University of Miami School of Medicine and Miami-Dade County (and subsequently the Public Health Trust) have been affiliated for the operation of Jackson Memorial Hospital as a teaching hospital for training and increasing the number of medical professionals in Miami-Dade County and for improving the quality and standard of medical science and education; and

WHEREAS, because of the affiliation, Jackson Memorial Hospital is one of the premier teaching hospital in the United States; and

WHEREAS, Florida is experiencing a medical malpractice insurance crisis which threatens the viability of the University of Miami School of Medicine and also thereby threatens to weaken the affiliation; and

WHEREAS, extending the protection of sovereign immunity to University of Miami doctors who have clinical staff privileges at Jackson Memorial Hospital and clinics operated by the Public Health Trust will assure the continued success of the affiliation and the preeminence of Jackson Memorial Hospital as a teaching hospital and invaluable asset of Miami-Dade County; and

WHEREAS, Jackson Memorial Hospital renders medical assistance to thousands of residents from other counties in Florida including Monroe, Broward, Palm Beach, Collier and

elsewhere, and sovereign immunity extends to doctors on staff at the public hospitals in those counties unlike the University of Miami School of Medicine doctors on staff at Jackson Memorial Hospital,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board urges the Florida legislature to extend the protection of sovereign immunity to University of Miami School of Medicine doctors who have clinical staff privileges at Jackson Memorial Hospital and clinics operated by the Public Health Trust.

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the chair and members of the Miami-Dade County State Legislative Delegation.

Section 3. The Office of Intergovernmental Affairs is directed to include this issue in the County's 2005 state legislative package.

The foregoing resolution was sponsored by Senator Javier D. Souto and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. *ES/RAG*

Eugene Shy, Jr.

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