

**MEMORANDUM**

Agenda Item No. 11(A)(16)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

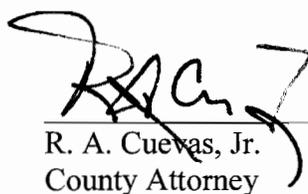
**DATE:** February 17, 2009

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution urging U.S.  
Congress & Florida  
Legislature to require  
insurance companies to  
cover additional hospital  
stays following labor  
and/or childbirth when  
labor was stressful on the  
mother and child

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss      **DATE:** February 17, 2009  
and Members, Board of County Commissioners

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(16)

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 Mayor'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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(16)  
2-17-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO COVER ADDITIONAL HOSPITAL STAYS FOLLOWING LABOR AND/OR CHILDBIRTH WHEN LABOR WAS STRESSFUL ON THE MOTHER AND CHILD

**WHEREAS**, the amount of time spent in hospital after childbirth has decreased substantially over the last generation; and

**WHEREAS**, between 1970 and 1995, the average length of stay fell from more than 4 days to 2 days, with increased cesarean deliveries over this same period masking even larger decreases in stay length conditional on method of delivery; and

**WHEREAS**, by the early 1990s, third-party payers routinely declined coverage of hospital stays longer than 24 hours for uncomplicated deliveries; and

**WHEREAS**, but this shift toward shorter postpartum stays was controversial and unpopular, leading 42 states between 1995 and 1998 to pass laws requiring insurers to cover minimum postpartum lengths of stay; and

**WHEREAS**, in 1998, Congress guaranteed a minimum of 48 hours in the hospital following an uncomplicated natural delivery, and 96 hours following an uncomplicated c-section; and

**WHEREAS**, Florida law currently provides that an insurance company issuing health insurance that provides maternity and newborn coverage may not limit coverage for the length of a maternity and newborn stay in a hospital to any time period that is less than what is medically necessary, in accordance with prevailing medical standards and consistent with guidelines for

perinatal care of the American Academy of Pediatrics or the American College of Obstetricians and Gynecologists, by the treating obstetrical care provider or the pediatric care provider; and

**WHEREAS**, laws should be strengthened to require insurance companies to cover additional hospital stay following labor and/or childbirth if necessary for the well-being of the mother or newborn,

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

**Section 1.** Urges the U.S. Congress and the Florida Legislature to require insurance companies to cover additional hospital stays following labor and/or childbirth when labor was stressful on the mother and child, or there were complications.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of this resolution to Florida Congressional Delegation, the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2009 federal and state legislative packages to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman  
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro  
Carlos A. Gimenez  
Barbara J. Jordan  
Dorrin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto

Audrey M. Edmonson  
Sally A. Heyman  
Joe A. Martinez  
Natacha Seijas  
Rebeca Sosa

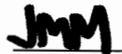
The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of February, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Jess M. McCarty