MEMORANDUM

Agenda Item No. 11(A)(7)

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

DATE: July 21, 2009

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

SUBJECT: Resolution urging Congress to take all actions necessary to alleviate health concerns of Veterans who have been exposed to life-threatening HIV and Hepatitis viruses at United States Department of Veterans Affairs medical facilities

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

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

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

SUBJECT: Agenda Item No. 11(A)(7)

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)(7)
7-21-09

RESOLUTION NO. _____

RESOLUTION URGING CONGRESS TO TAKE ALL ACTIONS NECESSARY TO ALLEVIATE HEALTH CONCERNS OF VETERANS WHO HAVE BEEN EXPOSED TO THE LIFE-THREATENING VIRUSES HIV AND HEPATITIS DUE TO CONTAMINATED MEDICAL EQUIPMENT AT UNITED STATES DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES

WHEREAS, Miami-Dade County has thousands of former sailors, soldiers, airmen, Marines and other war veterans ("Veterans") who have served the United States of America honorably in the various units of the armed forces; and

WHEREAS, the United States Department of Veterans Affairs ("VA") is a government-run military Veterans benefit system with Cabinet-level status, which is responsible for administering Veterans benefit programs, including health care provided by the government through the Veterans Health Administration; and

WHEREAS, the VA operates the Miami Veterans Affairs Healthcare System in South Florida, comprised of medical facilities, clinics and other facilities, including the "Bruce W. Carter Department of Veterans Affairs Medical Center", f/k/a the Miami Veterans Administration Medical Center, located at 1201 N.W. 16th Street, Miami, Florida 33125, in the Miami health district and in close proximity to Jackson Memorial Hospital; and

WHEREAS, the Miami Veterans Affairs Healthcare System serves an estimated Veteran population in Miami-Dade, Broward and Monroe Counties of approximately 285,000 Veterans; and

WHEREAS, recently the VA has encountered situations in Miami (and in Murfreesboro, Tennessee and Augusta, Georgia) where contaminated endoscopic equipment exposed Veterans to risk of exposure to HIV and Hepatitis B and C viruses; and

WHEREAS, this Board is most concerned about the exposure of Veterans, including the approximately 285,000 Veterans in South Florida, to HIV and Hepatitis B and C viruses; and

WHEREAS, in some instances, Veterans who were exposed have in fact contracted and been infected by the viruses, and as recently at June 23, 2009, the Associated Press reported that six (6) patients have tested positive for HIV and forty-six (46) have tested positive for Hepatitis; and

WHEREAS, from the statement by Abraham Lincoln in his second inaugural address, "... to care for him who shall have borne the battle, and for his widow and orphan" the mission of the VA grew; and

WHEREAS, this Board deems it to be a travesty, absurd and unjust for those who made it home from battle and duty to Country to be exposed to ill-health or death due to contaminated medical equipment because of lack of quality of care standards, measures and controls,

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

Section 1. Urges Congress to take all actions in its power to alleviate health concerns of Veterans who have been exposed to life-threatening HIV and Hepatitis viruses due to contaminated medical equipment at United States Department of Veterans Affairs medical facilities, to alleviate the same, as best as can be medically and scientifically accomplished, and to take all possible steps to provide for the goal of better quality of care within VA hospitals,

medical centers and clinics, especially as it relates to patient safety, effectiveness, training and surveying.

Section 2. Directs the Clerk of the Board is directed to transmit a certified copy of this resolution to the members of Florida's Congressional delegation and the United States Secretary of Veterans Affairs.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2009 and 2010 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. 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	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of July, 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.

for: ES

Eugene Shy, Jr.

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