

**MEMORANDUM**

Agenda Item No. 14(A)(72)

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

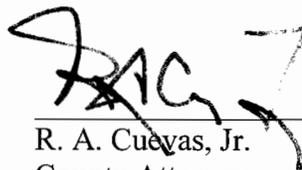
**DATE:** July 21, 2009

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

**SUBJECT:** Resolution approving  
execution of an Agreement  
with the State of Florida for  
Medicaid-Funded Health  
Services provided by Mount  
Sinai Medical Center of  
Florida, Inc.

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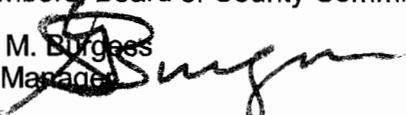
The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Bruno A. Barreiro.

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

RAC/jls

**Date:** July 21, 2009

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

**From:** George M. Burgess  
County Manager 

**Subject:** Resolution Approving a Letter of Agreement with the State of Florida to remit \$600,000 for Increased Reimbursement for Medicaid-Funded Health Services Provided by Mount Sinai Medical Center of Florida, Inc.

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### Recommendation

It is recommended that the Board approve the attached resolution approving a Letter of Agreement with the State of Florida to remit \$600,000 for increased Medicaid reimbursement for Medicaid-funded health services provided by Mount Sinai and approve a contract amendment to Contract No. 429A with Mount Sinai for employee medical assessment testing to credit Miami-Dade County \$613,811 Services Rendered.

### Scope

Mount Sinai is located in Commission District 4. Its service area is countywide.

### Fiscal Impact/Funding Source

The fiscal impact of the \$600,000 is budget neutral due to the \$600,000 being credited to Miami-Dade County (plus an added \$13,811 to cover UAP and IG Fees) from the Employee Medical Testing in Contract No. 429A.

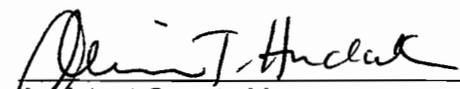
### Track Record/Monitor

Mount Sinai is a not-for-profit, mission-driven hospital, providing \$32 million in charity care last year. Mount Sinai is one of only six statutory teaching hospitals in the state, training 160 residents and fellows in 19 different specialties.

### Background

At the December 2, 2004 Board of County Commissioners ("Board") meeting, the Board approved Contract No. 429A with Mount Sinai Medical Center of Florida, Inc., (Mount Sinai) for Employee Medical Assessment Testing. Under the Contract, Mount Sinai performs employment physical examinations for County employees and applicants.

Through the State's Medicaid "buyback" program, contributions from local governments result in a higher Medicaid reimbursement rate for public hospitals, teaching hospitals, and those hospitals serving a disproportionately large Medicaid population. Currently, the County also participates in the "buyback program" through Jackson Memorial Hospital. If approved, the County can use \$613,811 credit from Employee Medical Assessment Testing fees due to Mount Sinai to remit \$600,000 of these funds, on behalf of Mount Sinai, to the Medicaid "buy back" program. The \$600,000 would then be eligible, through an Intergovernmental Transfer (IGT) payment, for federal matching dollars as coordinated through the State of Florida Agency for Health Care Administration. This is a one time-only remittance by the County, on behalf of Mount Sinai, for the State's Medicaid "buyback" program and therefore the County will have no additional liability to Mount Sinai beyond this singular payment.

  
Assistant County Manager



# MEMORANDUM

(Revised)

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

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 14(A) (72)

✓ 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

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Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(72)  
7-21-09

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

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA TO REMIT \$600,000 FOR MEDICAID-FUNDED HEALTH SERVICES PROVIDED BY MOUNT SINAI MEDICAL CENTER OF FLORIDA, INC. UNDER COUNTY CONTRACT RFP429A AND APPROVING A CONTRACT AMENDMENT WITH MOUNT SINAI MEDICAL CENTER OF FLORIDA, INC. TO CREDIT MIAMI-DADE COUNTY \$613,811 FOR SERVICES RENDERED

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, this Board desires to contribute to the State of Florida to increase reimbursement for the provision of Medicaid funded health sources for the greater good of the community,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the Letter of Agreement with the State of Florida for Medicaid-funded health services and Supplemental Agreement No. 2 to Contract 429a, in substantially the form attached hereto and made a part hereof, and authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise any cancellation and renewal provisions and any other rights contained therein.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman and the Co-Sponsor is Commissioner Bruno A. Barreiro. 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 21<sup>st</sup> 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.



Hugo Benitez



## Letter of Agreement

THIS LETTER OF AGREEMENT made and entered into duplicate on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between Miami-Dade County buyback, (the County ) and the State of Florida, through its Agency for Health Care Administration, (the Agency),

1. Per House Bill 5001, the General Appropriations Act of State Fiscal Year 2008-09, passed by the 2008 Florida Legislature, the County and the Agency agree that the County will remit to the State an amount not to exceed a grand total of \$600,000.
  - a) The County and the Agency have agreed that these funds will only be used to increase the provision of Medicaid funded health services to the people of the County and the State of Florida at large.
  - b) The increased provision of Medicaid funded health services will be accomplished through the buy back of the Medicaid inpatient and outpatient trend adjustments up to the actual Medicaid inpatient and outpatient cost but not to exceed the amount specified in the Appropriations Act for public hospitals, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and those hospitals whose Medicaid and charity care days divided by total adjusted days exceeds 25%.
2. The County will pay the State an amount not to exceed the grand total amount of \$600,000. The County will transfer payment to the State in the following manner:
  - a) The payment of \$600,000 is due upon notification by the Agency.
3. The County and the State agree that the State will maintain necessary records and supporting documentation applicable to Medicaid health services covered by this Letter of Agreement. Further, the County and State agree that the County shall have access to these records and the supporting documentation by requesting the same from the State.
4. The County and the State agree that any modifications to this Letter of Agreement shall be in the same form, namely the exchange of signed copies of a revised Letter of Agreement.
5. The confirms that there are no pre-arranged agreements (contractual or otherwise) between the respective counties, taxing districts, and/or the hospitals to re-direct any portion of these aforementioned Medicaid supplemental payments in order to satisfy non-Medicaid activities.
6. This Letter of Agreement is contingent upon the State Medicaid Hospital Reimbursement Plan reflecting 2008-09 legislative appropriations being approved by the federal Centers for Medicare and Medicaid Services.

7. This Letter of Agreement covers the period of July 1, 2008 through June 30, 2009.

**WITNESSETH:**

**IN WITNESS WHEREOF** the parties have duly executed this Letter of Agreement on the day and year above first written.

Miami-Dade County

State of Florida

\_\_\_\_\_  
Honorable Mayor Carlos Alvarez

\_\_\_\_\_  
Phil E. Williams  
Assistant Deputy Secretary for Medicaid Finance,  
Agency for Health Care Administration

MIAMI-DADE COUNTY, FLORIDA

**SUPPLEMENTAL AGREEMENT NO. 2**

Contract Number: 429a  
Contract Title: "Employee Medical Assessment Testing"  
Contractor: Mount Sinai Medical Center of Florida, Inc.  
4300 Alton Road, Lowenstein Pavilion  
First Floor  
Miami Beach, FL 33140

In accordance with the above-referenced Contract, this Supplemental Agreement, when properly executed, becomes part of the Contract and effective upon execution shall:

- 1. Add the following language to the end of existing Article 7, Payment for Services/Amount Obligated:

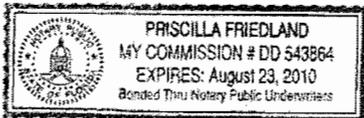
Contractor agrees to credit Miami-Dade County in the amount of \$613,811 (the "Credit"). The Credit shall be taken against any and all invoices which would otherwise be payable by Miami-Dade County under the terms and conditions of this Contract. The Credit is inclusive of contributions due under the Contract for the User Access Program (UAP) (Article 40) and Inspector General Fee (Article 32). From the Credit, \$600,000 shall be contributed by Miami-Dade County to the State of Florida to increase reimbursement for the provision of Medicaid-funded health services for the greater good of the community. Funding provided in the Contract shall be prioritized so that designated funding shall first be used to fund the Medicaid program (including Low Income Pool (LIP)) and used secondarily for other purposes.

All terms, covenants and conditions of the original Contract and any previous Supplemental Agreements issued hereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. 429a effective as of the date herein above set forth.

Contractor  
By: AMS  
Name: Alex Mendez  
Title: SVP, CFO  
Date: 7/17/09  
Attest: Priscilla Friedland  
Secretary

Miami-Dade County  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Attest: \_\_\_\_\_  
Clerk of the Board



Approved as to form and legal sufficiency

Assistant County Attorney

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