

MEMORANDUM

Agenda Item No. 11(A)(6)


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

DATE: December 15, 2009

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

SUBJECT: Resolution urging the Florida
Legislature to pass SB 218,
HB 319 or similar legislation
providing that counties pay
health care providers at
Medicaid rates for inmate
medical care

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



R. A. Cuevas, Jr.
County Attorney

RAC/up




MEMORANDUM

(Revised)

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

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County Attorney

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Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(6)
12-15-09

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS SB 218, HB 319 OR SIMILAR LEGISLATION
PROVIDING THAT COUNTIES PAY HEALTH CARE
PROVIDERS AT MEDICAID RATES FOR INMATE MEDICAL
CARE

WHEREAS, Florida law currently requires the cost of medical care, treatment, hospitalization and transportation for county-held inmates to be paid from the county's general fund if the arrest was for a violation of state law or a county ordinance pursuant to section 901.35, Florida Statutes; and

WHEREAS, bills have been filed for consideration during the 2010 regular session, SB 218 by Senator Dennis Jones (R – Seminole) and HB 319 by Representative Ed Hooper (R - Clearwater), that would require payments by counties to health care providers at the state's Medicaid rate for medical services for inmates; and

WHEREAS, at least ten states have laws limiting the amount that can be charged for inmate medical care, including Colorado, Illinois, Maine, Minnesota, Mississippi, Montana, New Hampshire, Oklahoma, Washington and Wisconsin; and

WHEREAS, Colorado has passed a state law providing for payments at Medicaid rates for inmate medical care; and

WHEREAS, many inmates would qualify for Medicaid if they were not incarcerated; and

WHEREAS, Miami-Dade County currently pays health care providers at Medicaid rates for inmate medical care, but passage of state legislation would ensure that the County would continue to pay medical providers at the Medicaid rate for inmate medical care; and

WHEREAS, a similar bill was filed for consideration during the 2009 regular session, HB 823 by Representative Hooper, but this bill did not pass,

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

Section 1. Urges the Florida Legislature to pass SB 218, HB 319 or similar legislation that provides that counties pay health care providers at Medicaid rates for inmate medical care.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, the Senate President, the 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 include this item in the 2010 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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 15th day of December, 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