

MEMORANDUM

Agenda Item No. 11(A) (29)

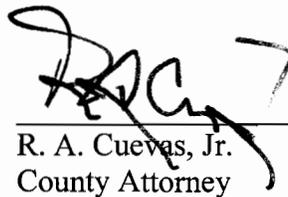
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 2, 2010

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

SUBJECT: Resolution urging the Florida
Legislature not to pass SB 218;
HB 319 both as amended or
similar legislation requiring
counties to pay 110 percent of
Medicare rates for inmate
medical costs

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
and Members, Board of County Commissioners

DATE: March 2, 2010

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

SUBJECT: Agenda Item No. 11(A)(29)

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)(29)
3-2-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT TO
PASS SB 218; HB 319 BOTH AS AMENDED OR SIMILAR
LEGISLATION REQUIRING COUNTIES TO PAY 110 PERCENT
OF MEDICARE RATES FOR INMATE MEDICAL COSTS

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 were 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 originally would have required payments by counties to health care providers at the state's Medicaid rate for medical services for inmates; and

WHEREAS, on December 15, 2009, this Board passed Resolution 1441-09, which urged 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; and

WHEREAS, on February 2, 2010, SB 218 and HB 319 were heard in Senate and House committees respectively and both bills were amended to provide that counties pay health care providers for inmate medical care not at Medicaid rates, but at 110 percent of Medicare rates; and

WHEREAS, Miami-Dade County currently pays health care providers at Medicaid rates for inmate medical care, which are significantly lower than Medicare rates; and

WHEREAS, SB 218 and HB 319 both as amended would increase the cost of inmate medical care borne by Miami-Dade County taxpayers and as such, this Board can no longer support these bills in their current form,

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

Section 1. Opposes SB 218 and HB 319 both as amended, which would require counties to pay health care providers for inmate medical care at 110 percent of Medicare rates.

Section 2. Urges the Florida Legislature not to pass SB 218, HB 319 both as amended or similar legislation that provides that counties pay health care providers at 110 percent of Medicare rates for inmate medical care.

Section 3. 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 4. Directs the County's state lobbyists to advocate for the issues identified in Section 2 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 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	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 2nd day of March, 2010. ~~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.

JMM

Jess M. McCarty