

MEMORANDUM

Agenda Item No. 11(A)(32)

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

DATE: May 4, 2010

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

SUBJECT: Resolution urging Governor
Charlie Crist to veto House
Bill 1143, an Act relating to
health care

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



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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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

Agenda Item No. 11(A)(32)

Veto _____

5-4-10

Override _____

RESOLUTION NO. _____

RESOLUTION URGING GOVERNOR CHARLIE CRIST TO
VETO HOUSE BILL 1143, AN ACT RELATING TO HEALTH
CARE

WHEREAS, on April 30, 2010, the Florida Legislature passed HB 1143, which provides, among other things, that, except for certain categories of exempt women, women seeking an abortion must obtain a live ultrasound and the physician or physician's assistant or nurse working with the physician must contemporaneously review and explain the live ultrasound images to the woman prior to receiving her informed consent to having the abortion procedure performed; and

WHEREAS, Amendment 841564 to HB 1143, which contains the applicable abortion language was added to the bill without committee review or public input; and

WHEREAS, a woman's right to choose to terminate a pregnancy is recognized by the United States Supreme Court and the decision to exercise this right is a private and personal decision; and

WHEREAS, HB 1143 intrudes on the doctor-patient relationship by mandating that doctors perform ultrasounds on all women seeking abortion, even when it is the doctor's best professional judgment that a live ultrasound is not in the patient's best interest; and

WHEREAS, it is reported that leading medical organizations, such as the American Medical Association (AMA), oppose legislation that compromises the doctor-patient relationship and that the AMA states that it is their policy "to strongly condemn any interference by the government or other third parties that causes a physician to compromise his or her medical judgment as to what information or treatment is in the best interest of the patient"; and

WHEREAS, HB 1143 also seeks to deny many women the health care coverage they currently have by prohibiting health insurance policies or group health insurance policies purchased in whole or in part with state or federal funds from covering abortions, except in the case where such an abortion is performed to save the life or physical health of the woman or if the pregnancy resulted from an act of rape or incest; and

WHEREAS, HB 1143 potentially increases the cost of reproductive choice for women by mandating ultrasounds while limiting insurance coverage for such procedures under certain circumstances, thereby increasing the costs of abortion, particularly for those least able to bear such costs; and

WHEREAS, Amendment 753340 to HB 1143, which contains the applicable restriction on the use of government funds for abortions, was added to the bill without committee review or public input,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board urges Governor Charlie Crist to veto Committee Substitute for Committee Substitute for Committee Substitute for House Bill, Enrolled (CS/CS/CS HB 1143).

Section 3. This Board directs the Clerk of the Board to transmit a certified copy of this resolution to Governor Charlie Crist and the Chair and members of the Miami-Dade County State Legislative Delegation.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. 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 4th day of May, 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.



Martin Sybblis

