

# MEMORANDUM

Agenda Item No. 11(A)(4)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** January 20, 2011

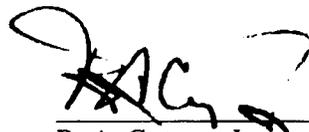
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution establishing the Miami-Dade County Hospital Governance Taskforce to study and report on alternative models for operating the Public Health Trust to ensure it has the governing and financial structure necessary to fulfill its crucial mission

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**This substitute raises the number of members of the Taskforce from seventeen to eighteen. The additional member is a representative of the Florida Nursing Association, chosen by the Association.**

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/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
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**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(4)

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)(4)  
1-20-11

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

RESOLUTION ESTABLISHING THE MIAMI-DADE COUNTY HOSPITAL GOVERNANCE TASKFORCE TO STUDY AND REPORT ON ALTERNATIVE MODELS FOR OPERATING THE PUBLIC HEALTH TRUST TO ENSURE IT HAS THE GOVERNING AND FINANCIAL STRUCTURE NECESSARY TO FULFILL ITS CRUCIAL MISSION

**WHEREAS**, the Public Health Trust is in the midst of an economic crisis that appears to be due in large part to its governing structure; and

**WHEREAS**, the Miami-Dade County Grand Jury in its report dated August 5th, 2010 specifically determined that the Public Health Trust’s “governance must be changed,” explaining “the path to survival requires a change in the governance model for JHS. Without that level of change, we are asking for this financial disaster to repeat itself, over and over again;” and

**WHEREAS**, other communities have changed the governing and financial structure of their public general hospitals from a government board to a private, not-for-profit 501(3) organization with a board of doctors, community leaders, and health care professionals, as was done, for example, with Tampa General Hospital; and

**WHEREAS**, still other communities have changed the governing and financial structure of their public general hospital from a county board to an independent tax district, as was done for the North and South Broward Hospital districts; and

**WHEREAS**, it will benefit members of the Board of County Commissioners and the people and communities of Miami-Dade County to understand the feasibility and benefits of

these and other models of governance as the Board and the community continue to address the economic crisis at the Public Health Trust; and

**WHEREAS**, the private hospitals in Miami-Dade County have an immense stake in the continued financial and economic success of the Public Health Trust because, if the Public Health Trust is forced to cutback on the number of indigent patients that it treats, a greater number of indigents will appear at the emergency rooms of the private hospitals and the private hospitals will be forced to provide more care to indigents from their own resources,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Miami-Dade County Hospital Governance Taskforce is hereby created:

Section 1. The Taskforce shall study possible models for the governance of the Public Health Trust, including but not limited to (a) operation of the Public Health Trust by a private, not-for-profit 501(3) organization with a board of doctors, nurses, community leaders, and health care professionals, as was done, for example, with Tampa General Hospital; (b) operation of the Public Health Trust by an independent tax district, as was done for the North and South Broward Hospital districts; (c) other models, perhaps blending these models, as the Taskforce may decide; (d) and other recommendations regarding the governance and financing of the Public Health Trust, as the Taskforce may decide. The Taskforce will complete its work and file an executive summary of its recommendations with the Clerk of the Board no later than 60 days from the first meeting of the Taskforce and will file a final report no later than 90 days from the first meeting of the Taskforce. The Taskforce will cease to exist 100 days from the first meeting of the Taskforce.

Section 2. Staff for the Taskforce will be provided by the Commission Auditor and additional staff will be provided by the Mayor or Mayor's designee. In addition, the Mayor or Mayor's designee is requested and directed to provide the Taskforce any information or analysis it may request, including from sources such as the County Manager's Office and the Finance Department. The Mayor or Mayor's designee is directed to provide the Taskforce with meeting facilities and appropriate physical and technical support, including equipment necessary to comply with the Sunshine laws.

Section 3. The County Attorney's Office will provide legal advice and guidance to the Taskforce.

Section 4. The Taskforce shall consist of ~~[[seventeen (17)]]~~ >>eighteen (18)<<<sup>1</sup> members as follows:

- (1) A Chief Operating Officer of Baptist Healthcare Systems, Inc. chosen by Baptist Healthcare Systems, Inc.
- (2) The Chief Operating Officer of Miami-Children's Hospital;
- (3) The Chief Operating Officer of HCA Kendall Regional Medical Center;
- (4) A Chief Operating Officer of either Hialeah, Northshore Medical Center and Palmetto General Hospital, chosen by Tenet Healthsystems Medical, Inc.;
- (5) The Chief Operating Officer of Mt. Sinai Medical Center;
- (6) The Chief Operating Officer of Mercy Hospital;
- (7) The Administrator, or appointee, of the Florida Department of Health-Miami-Dade County Health Department;

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<sup>1</sup> The differences between the substitute and the original item are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

- (8) The State Attorney of Miami-Dade County, or designee;
  - (9) One person appointed by the Mayor;
  - (10) Five persons chosen by the Board of County Commissioners, including four persons with backgrounds in health care, finance, law, or procurement, including one person who is a current or former Chief Financial Officer of a successful local hospital or hospital system; and a fifth person who is an academic or expert in the area of healthcare;
  - (11) One representative of the unions at the Public Health Trust chosen by the Board of County Commissioners;
  - (12) A physician who is a member of the medical executive committee of Jackson Memorial Hospital, chosen by the other members of the Taskforce;
  - (13) A representative, or designee, from the National Association of Public Hospitals and Health Systems (“NAPH”) based in Washington, D.C., chosen by the NAPH.
- >>(14) A representative of the Florida Nursing Association, chosen by the Florida Nursing Association.<<

Any appointment, choice, or assignment of a designee under this section must be documented by the filing of a written record making the appointment, choice, or assignment with the Clerk of the Commission.

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:

|                                     |                   |
|-------------------------------------|-------------------|
| Joe A. Martinez, Chairman           |                   |
| Audrey M. Edmonson, Vice Chairwoman |                   |
| Bruno A. Barreiro                   | Lynda Bell        |
| Jose "Pepe" Diaz                    | Carlos A. Gimenez |
| Sally A. Heyman                     | Barbara J. Jordan |
| Jean Monestime                      | Dennis C. Moss    |
| Natacha Seijas                      | Rebeca Sosa       |
| Sen. Javier D. Souto                |                   |

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of January, 2011. 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.

TWL

Thomas W. Logue