MEMORANDUM Agenda Item No. 11(A)(26)

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

DATE: September 1, 2011

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

SUBJECT: Resolution urging the U.S. Congress to pass legislation requiring medical devices companies to reveal prices

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: September 1, 2011

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

SUBJECT: Agenda Item No. 11(A)(26)

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)(26)
9-1-11

RESOLUTION NO. _____

RESOLUTION URGING THE U.S. CONGRESS TO PASS LEGISLATION REQUIRING MEDICAL DEVICES COMPANIES TO REVEAL PRICES

WHEREAS, it was recently disclosed that the Public Health Trust of Miami-Dade County ("the Public Health Trust"), the North and South Broward Hospital Districts – all public hospital systems – and other hospitals have entered into contracts with medical devices companies where the pricing was considered a trade secret; and

WHEREAS, taxpayers have a right to know how much of their taxes are being spent on the purchase of medical devices at public hospitals; and

WHEREAS, because the Public Health Trust and other hospitals cannot compare prices for medical devices, these hospitals cannot determine if they are paying a competitive price; and

WHEREAS, the Public Health Trust of Miami-Dade County ("the Public Health Trust") is currently experiencing a fiscal crisis and it is in the best interest of the Public Health Trust and its taxpayers to purchase medical devices at the most competitive prices; and

WHEREAS, secrecy in pricing contributes to the high cost of health care; and

WHEREAS, in 2007, Senators Chuck Grassley and Arlen Specter sponsored a bill to require implantable medical devices companies to reveal prices,

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

Section 1. Urges the U.S. Congress to pass legislation requiring medical devices companies to reveal its prices.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to members of the Miami-Dade County Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. 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
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 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. KMC

Karon M. Coleman

4