

# Memorandum



**Date:** March 6, 2012

Agenda Item No. 1F3

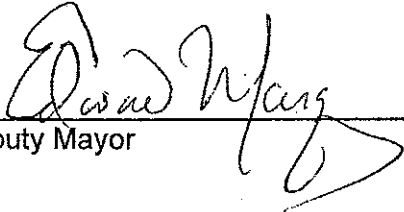
**To:** Honorable Joe A. Martinez, Chairman  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Sunset Review of County Boards for 2012 – Addiction Services Board

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In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2012 Sunset Review of County Boards Report for the Addiction Services Board. The Board approved the attached report at its meeting of November 9, 2011 and has recommended the continuation of its board.

  
Deputy Mayor

mayor04312

**Date:** November 9, 2011  
**To:** Carlos A. Gimenez  
Mayor  
**From:** Raymond S. White  
Chairperson, Addiction Services Board  
**Subject:** Sunset Review of County Boards 2012 – Addiction Services Board (ASB)

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Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2012 Sunset Review of County Boards Report for the ASB for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of November 9, 2011.

It is recommended that the BCC approve the continuation of the Addiction Services Board.

**BACKGROUND**

Provide the following information in the body of this section (in paragraph format):

1. Creation

The Miami-Dade County Addiction Services Board was established by Ordinance 90-144 in 1990.

2. Purpose

The ASB was created to foster a culturally-competent substance abuse service delivery system that is accessible, coordinated, cost-effective, successful and scientifically validated. On April 17, 2002, Amended Ordinance 92-93 was passed by the Miami-Dade County Board of County Commissioners, expanding the duties and powers of the Addiction Services Board to include oversight of substance abuse prevention services.

3. Recommendation

The ASB should continue to function as an advisory board to the Board of County Commissioners and the community concerning substance abuse prevention and treatment services in Miami-Dade County.



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Raymond S. White  
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2012**

**I. GENERAL INFORMATION**

1. Name of Board reporting:  
Miami-Dade County Addiction Services Board
2. Indicate number of board members, terms of office, and number of vacancies:  
Number of Board Members: 18 (9 private sector, 9 public sector)  
Terms of Office: Private sector 3 years, public sector permanent  
Number of Vacancies: 4 (private sector)
3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2010** through **December 31, 2011**):  
Number of Meetings: 23  
Number of Meetings with a Quorum: 14  
Attendance Records: See Attachment
4. What is the source of your funding? Federal Grant funds (JAG/Byrne Grant)
5. Date of Board Creation: December 18, 1990
6. Attach a copy of the ordinance creating the Board  
See Attachment
7. Include the Board's Mission Statement or state its purpose:  
The Miami-Dade County Addiction Services Board (ASB), recognizing that addiction is a public health and safety issue, is committed to the development and implementation of a comprehensive continuum of addiction treatment services. The ASB seeks to foster a culturally-competent service delivery system that is accessible, coordinated, cost-effective, successful and scientifically validated for safety and efficacy in reducing the ill-effects of alcohol and other drug addictions in the Miami-Dade County community.  
  
Additionally, the ASB will work to provide better coordination between treatment and prevention services, collaborating with the Miami Coalition For a Safe and Drug-Free Community and other prevention efforts to build a seamless set of services from primary prevention to addiction treatment.
8. Attach the Board's standard operating procedures, if any. NA (Ordinance only)
9. Attach a copy of the Board's By-Laws, if any. NA (Ordinance only)
10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, **including a vote of the membership**.  
See Attachment

**II. EVALUATION CRITERIA**

1. Is the Board serving the purpose for which it was created? Yes
  - The board has had an infusion of new private as well as public sector members who have been a great asset to the ASB, contributing with their knowledge and expertise in the areas of substance abuse issues, as well as passionately advocating for causes the ASB is pursuing.

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MIAMI-DADE COUNTY BOARDS  
2012**

- The ASB provides a forum for discussion of the status of Miami-Dade County's substance abuse prevention and treatment services, for sharing information throughout the community, and for devising strategies to improve substance abuse treatment and prevention services.

2. Is the Board serving current community needs? Yes

- The board provides a community forum for substance abuse prevention and treatment issues; disseminates important information regarding developments in the field, e.g., legislative efforts that affect service delivery, funding priorities, upcoming events, etc.
- Further, the ASB allows for dialogue between the private and public sectors on current items of interest relating to the prevention and treatment of addiction disorder.
- Recently, the ASB raised awareness regarding the current pain medicine abuse epidemic in MDC and was instrumental in the Board of County Commissioner's (BCC) recent passing of the Pain Clinic Ordinance imposing a moratorium on the registration of new pain clinics. The ASB was also selected to serve on the County's newly formed Pain Clinic Task Force which has been asked to further study this issue and to make recommendations to the BCC regarding the future regulatory process for Pain Clinics in MDC.
- The ASB is currently in the process of formulating strategies to improve the Marchman Act process with the aim of making this often complicated process more user friendly and accessible to those seeking help for their significant others afflicted with drug addiction.

3. What are the Board's major accomplishments?

a. Last 24 months

- The ASB feels that the prescription drug problem needs an aggressive and targeted education and prevention initiative. To that end, the ASB assembled a team of medical, law enforcement, research, and substance abuse treatment experts to present a workshop on this issue at the state wide Florida Alcohol and Drug Abuse Association (FADAA) conference in August 2010. This event educated addiction and social service professionals about the effects of the prescription drug abuse problem as well as provided a venue to share ideas and best practices related to dealing with this issue in our community. In December 2010 the board made a special presentation to the BCC on the growing epidemic of prescription drug abuse in Miami-Dade County. The aim was to raise awareness regarding this very serious public health issue and to offer any assistance in formulating strategies and finding solutions to this problem. The special presentation was very well received by all of the Commissioners, and prompted Commissioner Jordan to request a meeting with the members of the ASB for further discussion. At the time, Commissioner Jordan was in the process of developing legislation to strengthen licensing requirements for pain clinics in MDC. ASB members met with Commissioner Jordan in February 2011 to further discuss the issue and to review the evolving draft Pain Clinic Ordinance. The ASB members felt strongly that a moratorium on pain clinic registration should

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MIAMI-DADE COUNTY BOARDS  
2012**

be included in the Ordinance, which was accepted by the Commissioner and the County Attorney. The Pain Clinic Ordinance was passed unanimously on August 2, 2011. The Ordinance also calls for the forming of a Pain Clinic Task Force, to include representation from the ASB, which is tasked with investigating complaints about pain clinics and making recommendations to the BCC within 120 days of the enforcement of the Ordinance.

- The ASB is currently focused on improving the process for involuntary commitment to substance abuse treatment, aka the Marchman Act with the aim of making this often complicated process more user friendly and accessible to those seeking help for their significant other afflicted with drug addiction.

b. Since established

- Submitted letter to the Florida Congressional Delegation urging them to maintain levels of funding for the FY09 Byrne/JAG program.
- Joined with the Alliance for Behavioral Health to express concerns over changes to the Agency for Health Care Administration (AHCA) pharmacy formulary, removing Risperdal and Straterra, which would adversely impact individuals who have been stabilized on these medications.
- Submitted Letter to the Office of Drug Control supporting the appointment of Dr. Sanford Silverman to the Oversight Task Force for the implementation of Senate Bill 462.
- Continued study and review of public and private prevention and treatment services with presentations before the board from the Miami Coalition for a Safe and Drug Free Community, the Alliance for Human Services, Juvenile Drug Court (JDC), MDC Adult Drug Court, The Village South/West Care, Miami-Dade County Homeless Trust, South Florida Behavioral Health Network (formerly South Florida Provider Coalition), and Comprehensive Pain Medicine.
- Submitted Resolution to the BCC Urging the State of Florida and The U.S. Congress not to reduce funding for Safe and Drug Free Schools. The Resolution passed unopposed on 10/18/05.
- Continued with the Guest Scientist Lecture Series to provide the board and the community with current substance abuse prevention and treatment research that can assist in forming sound policy recommendations to bridge the existing gap between research and practice.
- Submitted letter to the Agency for Health Care Administration (AHCA), expressing the Board's concern about the exclusion of certain psychotropic medications from the list of drugs reimbursable by Medicaid. The unanimous concern of the board members was that this could adversely affect 30-40% of mental health patients currently taking those medications targeted to be excluded from the Medicaid list.
- Hosted the first annual "Miami-Dade County Alcohol and Drug Addiction Recovery Day." This was a collaborative effort involving members of the recovering community, treatment providers, and members of the BCC. The event culminated with the presentation of a Proclamation by the Office of the Mayor and the BCC, naming Wednesday, September 28, 2005 Miami-Dade County Alcohol and Drug Addiction Recovery Day.

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2012**

- In 1993 the ASB was instrumental in bringing a multi-million dollar grant from the federal government to this community for the establishment of a coordinated intake and assessment system – the Greater Miami Target Cities Project.
  - Public Forum was held on April 18, 1997 in the Commission Chambers dealing with "The Impact of Substance Abuse on Crime."
  - Public Hearing on the Consumption of Alcoholic Beverages by Minors and Driving Under the Influence/DUI was held in the Commission Chambers on October 19, 1998.
  - Public Hearing on Use of Controlled Substances was held on February 23, 1999 in the Commission Chambers.
  - Public Hearing on Health-Related Impact of Smoking was held on September 22, 1999.
  - The funding recommendations taken from the three public hearings in 1998 and 1999 were incorporated into the Alliance for Human Services NOFA (Notice of Funding Availability). A total of seven substance abuse programs were recommended for funding by the Alliance for Human Services.
  - In accordance with an ASB Sunset Review Report recommendation, Commissioner Katy Sorenson sponsored Ordinance No. 02-81, an ordinance amending the scope of the Addiction Services Board, expanding duties and powers to include oversight of Substance Abuse Prevention Services.
  - Hosted presentations from opposing views on the Florida Campaign for New Drug Policies during the process to implement the "Right to Treatment and Rehabilitation for Non-Violent Drug Offenses" constitutional amendment initiative.
  - Assisted in the development of the Faith-Based Community Providers Coalition.
  - Development by the Data Collection Committee of a Substance Abuse Compact Disk Library that summarizes the workings of the board, and details the nature and extent of substance abuse in Miami-Dade County, as well as important research findings and informational resources.
  - Instituted the Guest Scientist Lecture Series to provide the board and the community with current substance abuse prevention and treatment research that can assist in forming sound policy recommendations to bridge the existing gap between research and practice.
4. Is there any other board, either public or private, which would better serve the function of this board? No
5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? No
6. Should the Board's membership requirements be modified? No
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2010 and FY 2011)
- Staff support is funded by Federal Grant funds from the JAG/Byrne Grant Administration. There are no direct costs associated with this Board.

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2012**

8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.
- To continue to study and review existing substance abuse prevention and treatment services in Miami-Dade County.
  - To work with public and private sector providers to make recommendations regarding the need for prevention and treatment services in Miami-Dade County and providing forum for discussion of the state of treatment and prevention services in Miami-Dade County.
  - To serve in an advisory capacity to the Board of County Commissioners and the community concerning substance abuse prevention and treatment services in Miami-Dade County.
  - To make recommendations regarding substance abuse prevention and treatment services.
  - To continue to advocate for the availability of and accessibility to substance abuse treatment and prevention for MDC residents.

MIAMI-DADE COUNTY ADDICTION SERVICES BOARD

2011 ATTENDANCE

P~ Present A~ Absent E~ Excused

Quorum	Y	N	Y	NA	Y	Y	N	Y	Y	N	Y	Y	N	Y	Y	Y	Y	
<b>BOARD MEMBERS</b>		1/12/11	2/9/11	No Mtg. 3/9/11	4/13/11	5/11/11	Special 5/25/11	6/8/11	7/13/11	Special 8/14/11	9/14/11	10/12/11	11/9/11	12/14/11				
Raymond White (County Manager) CHAIR	P	P	P		P	P	P	P	P	P	P	P	P	P				
Deborah Montilla (MDC Schools)	A	P Ore			E	A	A	E	A	A	A	A	A	A				
Jessica Caso (SAO)	P	P			P Nixon	P Bain	P	P	P	P	P	P	P	P				
Akilah Bain (SAO) 5/11/11	P	E			P	P	P	P	E	P	P	P	P	P				
Paul Kaminsky (PD)	P	P			P	P	P	P	P	P	P	P	P	P				
Michele Sweeting (private)	P	P			P	P	E	P	P	P	P	P	P	P				
Yamile Diaz (DC&F) 6/8/11																		
Sgt. Buckner (MDPD)	P	A			P	A	A	E	E	P	A	A	Sgt. Johns on	P				
Dr. Angel Muniz (DHS)	P	P Ramirez			P Ramirez	E	E	A	P	E	P	A	A	A				
Sgt. Tracy Martin (Miami PD)	A	A			A	A	A	A	A	A	A	A	A	A				
David Kahn (Private)	P	P			P	P	P	P	P	P	P	P	P	P				
Dr. Rowe (Private)	A	P Alberga			P	E	E	P	E	E								
Dr. Claudio Perez (Private)	E	P			P	P	P	P	E	A	A	P	P	P				
Ed McGowan (Private) VICE CHAIR	E	P			A	P	A	A	A	A	A	A	A	A				
Dr. Wollschlaeger (Private)	E	P			E	A	P	E	E	E	E	A	A	A				
Judge White-Labora 11 <sup>th</sup> Circuit	P	P			P	P	P	E	P	E	P	P	P	P				
Richard Baron (Private) (9/14/11)																		

8



**MIAMI-DADE COUNTY ADDICTION SERVICES BOARD  
2010 ATTENDANCE**

P~ Present A~Absent E~Excused

Quorum Y/N	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
	01/13/10	02/10/10	03/10/10	04/14/10	05/12/10	06/9/10	07/14/10	09/8/10	10/13/10	11/10/10	12/8/10		
<b>BOARD MEMBERS</b>													
Raymond White (County Manager) CHAIR	P	P	P	P	P	P	P	P	P	P	P	P	P
Deborah Montilla (MDC Schools)	E	E	E	A	P	P	A	A	E	A	A	A	A
David Kahn (SAO) Replaced by Caso	P	P	Caso										
Lourdes Simon (PD) Replaced by Kaminsky	E	E	E										
Michele Sweeting (DC&F)	E	E	E	P	P	E	E	P	P	P	P	P	A
Lt. Riverasoto (MDPD) Replaced by Buckner	Lt. Damaso	Lt. Damaso	A										
Dr. Angel Muniz (DHS)	E	E	Merconchini	Amrlich	P	E	A	Figueroa	P	E	A	E	A
Sgt. Tracy Martin (Miami PD)	E	A	A	A	P	A	A	A	A	A	A	A	A
David Kahn (Private) 4-6-10	NA	P	NA	P	P	P	P	A	P	A	P	P	P
Beth Lang (Private)	A	A	A	A	A	Resignation							
Paul Kaminsky (PD) 4-14-10	NA	NA	NA	P	P	P	P	P	P	P	P	P	A
John Schmidt (Private)	A	P	A	A	A	A	A	A	A	A	A	A	A
Dr. Rowe (Private) 3/11/09	Alberga	P	P	E	P	P	P	E	E	Alberga	A		
Claudio Perez (Private) 3/11/09	P	P	P	P	P	E	P	P	P	P	P	P	P
Ed McGowan (Private) 5/13/09	E	P	E	P	P	P	P	P	P	P	P	P	P
Sgt. Buckner (MDMD) 4-14-10				P	P	P	A	A	P	A	A	A	A
Jessica Caso (SAO) 4-14-10				P	P	P	P	Johnson	E	E	E	E	Mait
Dr. Wollschlaeger (Private)													
Judge White-Labora													

# **Addiction Services Board**

**Establishing Ordinance: 90-144**

**Amended Ordinance: 92-93 (Terms of Office)**

**Amended Ordinance: 02-81 (Expanded Duties)**

ORDINANCE NO. 90-144

ORDINANCE CREATING DADE COUNTY ADDICTION SERVICES BOARD; PROVIDING FOR MEMBERSHIP, QUALIFICATIONS AND TERMS; PROVIDING FOR ORGANIZATION; SETTING FORTH DUTIES AND POWERS; PROVIDING FOR REPORTS; PROVIDING SEVERABILITY, INCLUSION IN CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Creation of Board. There is hereby created and established in Dade County an advisory board to be known as the Dade County Addiction Services Board.

Section 2. Membership; Qualifications; Terms.

(a) This board shall consist of eighteen (18) members appointed by the County Commission in a manner set forth below. Each member of the board shall be a resident and elector of Dade County and shall have an outstanding reputation for integrity, responsibility, and commitment to serving the community.

(b) Nine (9) of the members shall be appointed from the public sector and nine (9) of the members shall be appointed from the private sector. In filling any "private sector" seat, the County Commission shall select from a list to be submitted by The Miami Coalition for a Drug-Free Community. The "public sector" members appointed by the Board of County Commissioners shall include the following:

1. a State HRS administrator;
2. a representative of the State Attorney's Office;

3. a member of the Circuit Court of the 11th Judicial Circuit; and
4. a representative from the Public Defender's Office.
5. the Superintendent of Schools, or the Superintendent's designee
6. the Director of the Metro-Dade Department of Human Resources or the Director's designee
7. the Director of Metro-Dade Police Department or the Director's designee
8. the County Manager or the Manager's designee
9. the Chief of Police of the City of Miami or the Chief's designee

(c) Six (6) members (3 private, 3 public) shall be appointed for an initial term of one (1) year; six (6) members (3 private, 3 public) shall be appointed for an initial term of two (2) years; and six (6) members (3 private, 3 public) shall be appointed for a term of three (3) years. Appointments to fill any vacancy shall be for the remainder of the unexpired term.

(d) Each member shall be eligible for reappointment and shall hold office until his or her successor is duly appointed and qualified.

(e) If any member of the board fails to attend three (3) consecutive meetings without due cause, the chairperson shall certify the same to the County Commission, and such member shall then be deemed to have been removed and a vacancy created.

(f) The members shall serve without compensation. The County Commission or other sources may provide funds for appropriate and necessary expenses incurred by the board or any of its members in the performance of board functions; provided, however, that no County funds will be expended without prior approval of the County Commission.

Section 3. Organization of the Board.

(a) The members of the board shall elect a chairperson and such other officers as may be deemed necessary or desirable, who shall serve at the will of the board. Ten (10) members of the board shall constitute a quorum necessary to hold a meeting and take any action. A majority vote of the members present shall be necessary to take any action.

(b) An executive committee consisting of all officers and such other persons as the chairperson may appoint from time to time, is authorized to exercise all powers, duties and functions of the board between board meetings. Any action taken by the executive committee shall be reported to the board at its next regular meeting and the board shall either ratify or rescind the action of the executive committee.

(c) The chairperson may call meetings of the board. Meetings may also be called by written notice signed by ten (10) members. The board at any meeting may fix and call a meeting on a future date. Minutes shall be kept of all meetings of the board. All meetings shall be public. The County Manager and the Dade County Office of Substance Abuse shall provide appropriate staff support to the Dade County Addiction Services Board.

Section 4. Duties and Powers of the Board. The board shall have the following duties, functions, powers and responsibilities:

- (a) To assist in the establishment, operation and oversight of a central intake system providing 24-hour access to addiction therapy.
- (b) To serve in an advisory capacity to the Board of County Commissioners, the County Manager, and the community concerning therapy and recovery programs in Dade County.
- (c) To make a continuous study and review of all existing addiction therapy and recovery programs, services and facilities, both public and private, in Dade County.
- (d) To make recommendations on the administration and distribution of monies directed to addiction treatment and recovery from all sources.
- (e) To make recommendations on the administration and distribution of nondesignated trust funds held for addiction treatment and recovery in Dade County.
- (f) To make recommendations on the coordination, organization, utilization, and implementation of treatment and recovery facilities in Dade County as well as public education as to the addiction problems faced by Dade County and as to the treatments, programs, institutions, facilities and services available to the County.
- (g) To work with the existing governmental providers of treatment and care as well as those providers in the private

sector, and to make recommendations to these groups regarding the needs of Dade County for treatment programs and facilities.

(h) To recommend to the manager and the Board of County Commissioners such ordinances as will aid in carrying out the purposes of this ordinance.

(i) To submit an annual report to the Manager and the Board of County Commissioners.

(j) To accept grants and donations on behalf of the County from foundations and others for the purpose of carrying out the above listed functions, subject to approval by the Board of County commissioners.

(k) To perform such other duties as may from time to time be assigned to it by the Board of County Commissioners or that are reasonable, necessary or proper to the exercise of the powers and duties enumerated above.

Section 5. Reports. Within the first ninety (90) days of each calendar year, the board shall make a report to the Board of County Commissioners of the board's activities for the preceding calendar year. Each such report shall set forth a complete operating and financial statement covering its operation during such year.

Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of

Metropolitan Dade County, Florida; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 8. The provisions of this ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: DEC 18 1990

Approved by County Attorney as to  
form and legal sufficiency. *[Signature]*

Prepared by: *[Signature]*



ORDINANCE NO. 92-93<sup>1</sup>

ORDINANCE AMENDING SECTION 2-422(c) OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA, RELATING TO DADE COUNTY ADDICTION SERVICES BOARD; AMENDING TERMS OF OFFICE OF MEMBERS; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-422 (c) of the Code of Metropolitan Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

Sec. 2-422. Membership; qualifications; terms.

\*\*\*

~~(c) Six-(6)-members-(3-private, 3-public)-shall be appointed for an initial term of one-(1)-year; six (6)-members-(3-private, 3-public)-shall be appointed for an initial term of two-(2)-years; and six-(6) members-(3-private, 3-public)-shall be appointed for a term of three-(3)-years. All private sector members shall be appointed for terms of three (3) years. The public sector members shall be permanent appointments. Appointments to fill any vacancy of a private sector member shall be for the remainder of the unexpired term.~~

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Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of

<sup>1</sup>Words stricken through shall be deleted. Underscored words constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 4. The provisions of this ordinance shall become effective ten (10) days after the date of its enactment.

PASSED AND ADOPTED: SEP 15 1997

Approved by County Attorney as to  
form and legal sufficiency. RAG

Prepared by: WJL

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

ORDINANCE NO. 02-81

ORDINANCE AMENDING DADE COUNTY ADDICTION SERVICES BOARD CODIFIED AT CHAPTER 2, ARTICLE XLIV OF THE CODE OF MIAMI-DADE COUNTY; EXPANDING DUTIES AND POWERS TO INCLUDE OVERSIGHT OF SUBSTANCE ABUSE PREVENTION SERVICES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND EFFECTIVE DATE

WHEREAS, this Board of County Commissioners created the Miami-Dade County Addiction Services Board (hereinafter "Addiction Services Board") to serve in an advisory capacity on matters related to the drug addiction therapy and recovery programs; and

WHEREAS, the Addiction Services Board recently completed its sunset review report and recommended that its ordinance be amended to include oversight of substance abuse prevention services; and

WHEREAS, prevention is an integral part of a comprehensive addiction services continuum; and

WHEREAS, it is in the best interest of the County to provide the Addiction Services Board with the ability to oversee the entire continuum of addiction services,

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

Section 1. Chapter 2, Article XLIV of the Code of Miami-Dade County shall be amended as follows:

CHAPTER 2  
ARTICLE XLIV  
DADE COUNTY ADDICTION SERVICES BOARD

Sec. 2-424. Duties and powers.

The Board shall have the following duties, functions, powers and responsibilities:

\* \* \*

(2) To serve in an advisory capacity to the Board of County Commissioners, the County Manager, and the community concerning ~~[[therapy and recovery program]]~~ >> substance abuse prevention and treatment services << in >> Miami << Dade County.

(3) To make a continuous study and review of all existing ~~[[addiction therapy and recovery programs, services and facilities in]]~~ >> substance abuse prevention and treatment services, << both public and private, in >> Miami << Dade County.

(4) To make recommendations on the administration and distribution of monies directed to ~~[[addiction treatment and recovery]]~~ >> substance abuse prevention and treatment services << from all sources.

(5) To make recommendations on the administration and distribution of nondesignated trust funds held for ~~[[addiction treatment and recovery]]~~ >> substance abuse prevention and treatment services. <<

(6) To make recommendations on the coordination, organization, utilization, and implementation of ~~[[treatment and recovery facilities]]~~ >> substance abuse prevention and treatment services << in >> Miami << Dade County as well as public education as to the addiction problems faced by >> Miami << Dade County and as to ~~[[treatments, programs, institutions, facilities, and]]~~ >> substance abuse prevention and treatment << services available to the County.

\* \* \*

Section 2. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provision of this ordinance, including the sunset provision, shall

become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. Except as otherwise specifically indicated in the ordinance, this ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall be effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency. RA6

Prepared by:

KMC

Karon M. Coleman  
Sponsored by Commissioner Katy Sorenson

**RECORDING SECRETARY'S SUMMARY AGENDA ACTION  
MIAMI-DADE COUNTY ADDICTION SERVICES BOARD (ASB)  
November 9, 2011**

**MINUTES**

- ATTENDED:** *Raymond White*, Chair, Manager, Employee Support Services for Carlos A. Gimenez, Mayor  
*David Kahn*, Attorney, private attorney  
*Michele Sweeting*, Director of Prevention Services, South Florida Behavioral Health Network (SFBHN)  
*Akilah Bain*, Assistant State Attorney, for Hon. Katherine Fernandez-Rundle, State Attorney  
*Dr. Claudio M. Perez*, President and CEO, Agape Network  
*Honorable Judge Deborah White-Labora*, Drug Court, 11<sup>th</sup> Judicial Circuit  
*Paul Kaminsky*, Assistant Public Defender for Hon. Carlos Martinez, Public Defender  
*Sgt. Tonua Johnson* for *Sgt. Roslyn Buckner*, for James Loftus, Director, Miami-Dade County Police Department  
*Richard Baron*, private attorney  
*Yamile Diaz*, Department of Children and Families
- ABSENT:** *Dr. Bernd Wollschlaeger*, Aventura Family Health Center  
*Tracey Martin*, for Chief Miguel A. Exposito, City of Miami Police  
*Dr. Angel Muniz*, for Phyllis Tynes-Saunders, Director, Department of Human Services  
*Ed McGowan*, Vice-Chair, Director of Development, Concept House  
*Deborah Montilla*, for Alberto Carvalho, Superintendent Miami-Dade County Public Schools
- STAFF:** *Michaela Doherty*, Office of Management and Budget, Grants Coordination

Agenda Items (cont'd :)

Regular Meeting (Scheduled for 9:00 a.m.)

- Call to Order. The Chair, Mr. Raymond White, called this meeting to order at 9:15 a.m. in the CITT Conference Room, 10<sup>th</sup> floor of the Stephen P. Clark Center, 111 NW 1 Street, Miami, FL., 33128.

Motion: Perez  
Second: Kahn  
Voted: 10  
Absent: 5

- Additions, Deletions or Changes to the Minutes: None

- Approval of Minutes for September 14 and October 12, 2011: Vote

- Report from the Chair: Mr. White stated that he was disappointed with the lack of attendance at the last meeting, especially since we had invited members of the Administrative Office of the Courts (AOC) to address the board and discuss the issues around the current Marchman Act process. He went on to say that member attendance, specifically the lack thereof, needs to be addressed and the absentee rule needs to be enforced. According to the ASB Ordinance, three (3) consecutive absences constitute reason to remove a board member. Mr. White suggested that he will send a letter to all members asking to evaluate whether they can attend meetings consistently, and if not to appoint a designee who will be able to do so. Dr. Claudio Perez suggested that the Chair call those board members who have not been attending personally. Mr. White agreed to do both. Staff will prepare a draft letter.

Motion: White-Labora  
Second: Perez  
Voted: 10  
Absent: 5

- Old Business/Discussion:

Discussion on the Marchman Act continued, Mr. White shared that Magistrate Kimmler, who presides over the Marchman procedures, and attended the last meeting as a guest, was very passionate as he relayed the problems and shortcomings of the current process, but that the reality is that funds to replace the two positions that were cut are not available and we need to look at other creative ways to fill that gap. As was discussed at the last meeting, getting the staff at the clerk's office to help complete the forms (as is currently done in the domestic violence division) would be a start. The Chair suggested perhaps inviting the Clerk of Courts (COC), Mr. Harvey Ruvin, or someone in an upper management position in the COC to an ASB meeting to discuss this possibility. Judge Deborah White-Labora agreed, and stated that she will try to identify an appropriate person and invite him/her to the next meeting. Mr. Richard Baron stated that one place to start in trying to reduce the complexity of the Marchman Act process could be to simplify the petition forms. He offered to review them and revise were appropriate to make them more user friendly, so long as they still conform to the Statutes for this petition. Dr. Claudio Perez stated that we should look at best practices for similar processes, like in the domestic violence division. Mr. Baron went on to suggest that perhaps someone in the domestic violence unit could be assigned to the Marchman petitions, but Judge White-Labora stated that the unit is understaffed already. The Chair and the rest of the members agreed that the COC should be involved in future discussions regarding this issue, to see if a collaborative plan could

be developed to make the process more accessible to the public. Mr. Baron asked if there are any grant funds available, staff shared that Ms. Jennie Rundell, Grants Coordinator, for the AOC stated at the last meeting that there were currently no funds available for this purpose. Staff will ask the grant writers in the Grants Coordination Division if there are any opportunities to pursue for this type of funding. Ms. Yamile Diaz shared that DC&F sponsored a Statewide training on Baker Act procedures; she offered to inquire if perhaps Marchman Act procedures could be included in future trainings. Dr. Perez stated that we should put all of the suggestions brought forth today into a strategic action plan. So far the tasks are outlined and assigned as follows:

- Judge White-Labora will identify and invite a high ranking staff member from the COC to the next meeting to discuss the Marchman Act process and how it may be improved and made more accessible to the residents of our community
- Ms. Diaz will inquire if information on the Marchman Act procedures may be included in future DC&F's trainings on the Baker Act
- Mr. Baron will review the current Marchman Act documents and identify areas in the language that can be simplified to make them more user friendly
- Staff will ask grant writers in the Grants Coordination Division to look for any grant dollars available to fund one or two positions to provide case management services to those seeking to file a Marchman petition.

Judge White-Labora stated that often the process serving slows down the enforcement of the petition and asked if there is any way to expedite or prioritize it. Mr. Kahn stated that the process serving can be expedited by paying an additional fee. Ms. Sweeting stated that the South Florida Behavioral Health Network (SFBHN) has agreed to have staff trained on the current Marchman Act procedures including how to complete all of the required forms and the forms will also be available on the SFBHN website.

Mr. Kahn provided an update on the Pain Clinic Task Force: the group has completed a very thorough review of the current Pain Clinic Ordinance and has drafted a response to the BCC with recommendations on how to strengthen it and cut off any possible loopholes. The last Task Force meeting is scheduled for November 15, 2011, after which the draft report will be finalized and presented to the Mayor and the BCC.

New Business - 2012 Sunset Review Report: Vote

Staff had sent out the 2012 ASB Sunset Review Report to all members for review on 11/7/11. The Chair asked if anyone had any feedback, additions, deletions or corrections. Ms. Michele Sweeting stated that since the name of the South Florida Provider Coalition was changed to South Florida Behavioral Health Network, this should be

Motion: Sweeting  
Second: Kahn  
Voted: 10  
Absent: 5



reflected in the report. Staff will add the following to the report on page three, fourth paragraph: "South Florida Behavioral Health Network (formerly known as South Florida Provider Coalition)".

The next ASB meeting is scheduled for December 14, 2011 at 9:00 a.m., Stephen P. Clark Center, Room 18-4.