

# MEMORANDUM

Agenda Item No. 11(A)(17)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** November 5, 2013

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

**SUBJECT:** Resolution supporting Medicaid expansion in Florida pursuant to the Patient Protection and Affordable Care Act of 2010; urging the Florida Legislature to enact legislation expanding Medicaid in Florida

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/Imp



**MEMORANDUM**  
(Revised)

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and Members, Board of County Commissioners

**DATE:** November 5, 2013

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R. A. Cuevas, Jr.  
County Attorney

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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 Mayor'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)(17)  
11-5-13

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

RESOLUTION SUPPORTING MEDICAID EXPANSION IN  
FLORIDA PURSUANT TO THE PATIENT PROTECTION AND  
AFFORDABLE CARE ACT OF 2010; URGING THE FLORIDA  
LEGISLATURE TO ENACT LEGISLATION EXPANDING  
MEDICAID IN FLORIDA

**WHEREAS**, according to the most recent data from the American Community Survey of the United States Census Bureau, an estimated 4 million Floridians have no health insurance; and

**WHEREAS**, more than 1.9 million adults in Florida have incomes at or below 138 percent of the federal poverty level; and

**WHEREAS**, the 111<sup>th</sup> United States Congress passed the Patient Protection and Affordable Care Act of 2010 (“Affordable Care Act”), and on March 23, 2010, the President signed the bill into law; and

**WHEREAS**, one of the key components of the Affordable Care Act required states to expand Medicaid to a minimum national eligibility threshold of 138 percent of the federal poverty level effective January 1, 2014; and

**WHEREAS**, this provision, however, was not upheld by the United State Supreme Court in effect allowing states the option whether or not to expand Medicaid; and

**WHEREAS**, under the Affordable Care Act, the federal government initially funds Medicaid expansion at 100 percent for the first three years; and

**WHEREAS**, states gradually would be required to pay a share of the costs of Medicaid expansion starting in the fourth year, starting at five percent (5%) in calendar year 2017 with a peak state contribution of 10 percent (10%) in calendar year 2020; and

**WHEREAS**, estimates indicate that if the Florida Legislature decides to expand Medicaid, Florida could receive as much as \$50 billion in federal funding to provide health coverage for approximately one million Florida residents over the next decade pursuant to the Affordable Care Act; and

**WHEREAS**, on February 20, 2013, Governor Rick Scott announced that he would support a limited, three-year expansion of Florida's Medicaid program under the Affordable Care Act during the time when the federal government would pay 100 percent of the cost; and

**WHEREAS**, during the 2013 session, the Senate developed a proposal that would make Florida eligible for \$50 billion in federal funding under the Affordable Care Act to provide health coverage to about 1 million Florida residents; and

**WHEREAS**, the Senate proposal, SB 1816 by Senator Joe Negron (R – Palm City), would have used funds available under the Affordable Care Act to provide premium assistance to Florida residents earning up to 138 percent of the federal poverty level; and

**WHEREAS**, the House was unwilling to expand Medicaid and accept funding from the federal government under the Affordable Care Act, and instead proposed to use \$237 million in state funds annually to give a \$2,000 voucher to people to buy insurance, covering approximately 115,000 Florida residents; and

**WHEREAS**, the Florida Hospital Association estimated that the funding would have supported up to 50,000 health care jobs in Florida under the Senate proposal; and

**WHEREAS**, in the end, no bill related to Medicaid expansion pursuant to the Affordable Care Act passed the Florida Legislature during the 2013 session; and

**WHEREAS**, the Florida Legislature continues to have an opportunity to expand Medicaid to cover more than one million additional Florida residents; and

**WHEREAS**, Medicaid expansion would provide these one million Florida residents access to preventive and therapeutic health care services, improving health outcomes, social and behavioral outcomes, and the use of evidence-based medicine and best practices in health improvement plans beginning in 2014; and

**WHEREAS**, expanding Medicaid in Florida under the Affordable Care Act is made all the more important by the fact that medical care providers will experience significant payment reductions from Medicare and Medicaid over the next several years because of federal reductions in the disproportionate share program and similar programs; and

**WHEREAS**, if these reductions are not offset by Medicaid expansion, there will likely be reduced hospital services, job losses and a reduction in community investment; and

**WHEREAS**, enacting Medicaid expansion would ensure access to improved medical care benefits for low income, hard-working Floridians; and

**WHEREAS**, the vast majority of the one million people who would qualify for coverage under Medicaid expansion are currently employed but do not have access to affordable employer-sponsored insurance; and

**WHEREAS**, the failure to enact Medicaid expansion will be a detriment to health, social and behavioral outcomes for these persons, as well as the economic health of their communities, limiting the economic development potential for the entire State of Florida,

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

**Section 1.** Supports Medicaid expansion in Florida pursuant to the Affordable Care Act and urges the Florida Legislature to pass legislation expanding Medicaid in Florida.

**Section 2.** Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, Senate Minority Leader, House Speaker, House Minority Leader and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the passage of legislation and funding as set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

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The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of November, 2013. 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.



Jess M. McCarty