

Memorandum



Date: March 4, 2014

Agenda Item No. 1(F)8

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Sunset Review of County Boards for 2014 – Addiction Services Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2014 Sunset Review of County Boards Report for the Addition Services Board.

The Addiction Services Board approved the attached report at its meeting of January 8, 2014 and has recommended the continuation of its board.

Attachment

A handwritten signature in black ink, appearing to read "Edward Marquez", written over a horizontal line.

Edward Marquez
Deputy Mayor

mayor03414

Date: January 9, 2014
To: Carlos A. Gimenez
Mayor
From: David Kahn
Chairperson, Addiction Services Board
Subject: Sunset Review of County Boards 2014 – Addiction Services Board (ASB)

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2014 Sunset Review of County Boards Report for the Addiction Services Board (ASB) for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of January 8, 2014.

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.



David Kahn
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2014**

I. GENERAL INFORMATION

1. Name of Board reporting: Miami-Dade County Addiction Services Board (ASB)
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: One (as of 9/3/13, private sector)
3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2012** through **December 31, 2013**):
Number of Meetings: 20
Number of Meetings with a Quorum: 15
Attendance Records: See Attachment A
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 (Please include all subsequent amendments). See Attachment B
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 sector members (Until 9/3/13 the board had a full complement of 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.

- 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.
 - The ASB's focus has been on raising awareness regarding the Marchman Act process, a petition of involuntary commitment for substance abuse assessment and treatment, 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
- During the past two years the ASB has focused its efforts on improving the Marchman Act process. The Florida Marchman Act is a legal intervention process that can compel a substance abuser to receive court ordered and monitored assessment, stabilization and treatment for their drug or alcohol addiction. Often families find themselves in situations where a loved one may cause harm to him/herself or others because of a drug and/or alcohol addiction that has become out of control, but families are not aware of this resource.
 - During the initial phase the board gathered information regarding problems with the Marchman process from board members and stakeholders from various fields, such as legal, medical, law enforcement, consumer, etc. The board then devised a strategy to address the identified issues and provide solutions. Realizing that monies are not available to fund services to address the identified needs, the ASB worked collaboratively and found the no cost solutions described below.
 - The first step was to improve the existing Marchman petition forms which were confusing and hard to follow. The ASB collaborated with the Miami-Dade County Clerk of Courts (COC) in revising the Marchman petition forms in order to make them more user friendly, as well as post them on the Miami-Dade County website, thereby improving accessibility for the public.
 - The second step was to provide guidance to the public seeking to file a Marchman petition. Through collaborative efforts with the South Florida Behavioral Health Network (SFBHN), the managing entity for State funded substance abuse treatment and prevention services, and the State Attorney's Office (SAO), two SFBHN counselors received extensive training on the Marchman petition process, and are now able to assist individuals seeking to file a Marchman petition and guide them through the process.
 - The third step was to raise awareness regarding the Marchman procedures in the medical community, since doctors and hospitals are often the first resource families turn to when trying to find help for a loved one with

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2014**

addiction problems. To that end, the ASB planned and presented a workshop on the Marchman process to an audience of doctors, nurses and treatment providers on November 7, 2013. The workshop was presented by a panel of experts on the Marchman Act from the medical, legal, law enforcement and treatment communities. This event educated doctors, psychiatrists, addiction and social service professionals about the Marchman Act petition for involuntary commitment for addiction problems, as well as provided a venue to ask questions and share ideas as well as best practices related to dealing with this issue in our community. The workshop was very well received, the ASB plans to present this workshop at a statewide forum next year.

- Lastly, through information gathering and sharing, it has become apparent that there are several shortcomings in the Marchman statute, such as the lack of a provision to admit a person to a secured facility (as in the Baker Act, which is a similar proceeding but for persons with mental health issues). The ASB plans to advocate for revisions to the Marchman statute in order to improve its effectiveness in providing a viable tool for families seeking interventions for loved ones in the grips of drug and alcohol addiction.

b. Since established

- The ASB felt that the prescription drug problem needed 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 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 called for the forming of a Pain Clinic Task Force, and included 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.
- 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.
- 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

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2014**

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? (If “Yes”, attach proposed changes) 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 2012 and FY 2013)
- Staff support is funded by Federal Grant funds from the JAG/Byrne Grant Administration. There are no direct costs associated with this Board.
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 a 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
2012 - 2013 ATTENDANCE
P~ Present A~ Absent E~ Excused

Quorum Y/N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	NA
	1/11/12	2/8/12	3/14/12	4/11/12	5/9/12	6/13/12	7/11/12	9/12/12	10/10/12	11/14/12	12/10/12
BOARD MEMBERS											No mtg.
Raymond White (County Manager) Chair	P	P	P	P	P	P	P	P	P	E	
Deborah Montilla (MDC Schools)	A	E	E	P	E	P	P	E	E	E	
Paul Kaminsky (PD)	P	P	E	P	P	P	P	P	E	E	
Michele Sweeting (private)	P	P	P	P	P	P	P	P	P	P	
Yamile Diaz (DC&F)	P	P	E	P	P	E	E	P	P	P	
Sgt. Buckner (MDPD)	E	P	E	P	E	E	E	P	P	E	
Angel Muniz, CAHSD	P	P	P	P	A	E	P	A	E	E	
Commander David Sanchez (Miami PD)	P	P	P	P	P	P	E	P	P	P	
David Kahn (Private) Vice Chair	E	E	P	E	P	P	P	P	P	P	
Dr. Ashley Austin (Private) 5/15/12						P	P	P	P	P	
Dr. Claudio Perez (Private)	P	E	E	P	P	P	P	E	P	E	
Ronald Lowy, (Private) 5/15/12						P	P	E	P	P	
David Vittoria (Private) 5/15/12						P	E	P	E	E	
Judge White-Labora 11 TH Circuit	P	P	P	E	P		P	P	P	P	
Richard Baron (Private)	P	P	E	P	P	P	P	P	P	E	
Akilah Bain SAO	P	P	P	P	P	P	E	A	P	P	
Patricia Junquera, MD (Private) 5/15/12						P	P	P	P	P	
Ruben Roberts (Private) 5/15/12						P	P	E	E	P	

MIAMI-DADE COUNTY ADDICTION SERVICES BOARD
2012 - 2013 ATTENDANCE
P~ Present A~ Absent E~ Excused

Quorum Y/N	Y	Y	N	Y	N	Y	N	Y	Y	N	NA
	1/9/13	2/13/13	3/20/13	4/10/13	5/8/13	6/12/13	7/10/13	9/11/13	10/9/13	11/13/13	12/17/13 No mtg.
BOARD MEMBERS											
Raymond White (County Manager)	P	P	P	E	E	P	P	P	P	P	
Deborah Montilla (MDC Schools)	E	E	E	E	E	P	E	P	E	E	
Paul Kaminsky (PD)	P	P	E	P	E	P	P	P	P	E	
Michele Sweeting (private)	P	P	P	P	E	P	E	E	P	P	
Yamile Diaz (DC&F)	P	P	P	P	P	P	E	P	P	E	
Sgt. Buckner (MDPD)	E	P	E	P	P	P	E	P	P	A	
Angel Muniz, Wanda Walker, CAHSD 6/12/13	P	E	E	E	E	P	A	A	P	A	
Commander David Sanchez (Miami PD)	P	E	P	P	P	P	P	P	P	P	
David Kahn (Private) Chair	P	P	P	P	E	P	E	P	P	P	
Dr. Ashley Austin (Private)	E	P	E	P	E	P	P	E	P	P	
Dr. Claudio Perez (Private)	P	P	E	E	P	P	E	P	P	A	
Ronald Lowy, (Private)	P	P	E	P	E	P	E	A	E	P	
David Vittoria (Private)	P	E	P	E	E	P	P	P	E	E	
Judge White-Labora 11 TH Circuit Vice Chair	E	P	E	P	P	P	P	E	P	P	
Richard Baron (Private)	P	P	E	E	P	P	E	P	P	E	
Akilah Bain SAO	P	P	E	E	E	A	P	P	A	A	
Patricia Junquera, MD (Private)	E	P	E	P	P	E	E	P	E	P	
Ruben Roberts (Private)	E	P	E	P	E	A	E	resigned 9/3/13			

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 an 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. 92-98¹

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:¹

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.~~

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

¹Words 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. RA6

Prepared by: [Signature]

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)
January 8, 2014**

MINUTES

- ATTENDED: *David Kahn*, Chair, Private Attorney
David Sanchez, Commander, City of Miami Police for Chief Manuel Orosa
Deborah Montilla, Miami-Dade County Public Schools for Alberto Carvalho, Superintendent
Raymond White, Manager, Employee Support Services for Carlos A. Gimenez, Mayor
Dr. Patricia Junquera, Director of the Residency Program, Florida International University
Michele Sweeting, Private Citizen
Honorable Judge Deborah White-Labora, Vice Chair, Family Court, and 11th Judicial Circuit
Richard Baron, Private Attorney
Dr. Claudio Perez, President and CEO, Agape Network
Yamile Diaz, Department of Children and Families for Gilda Ferradaz, Interim Director
Paul Kaminsky, Assistant Public Defender for Honorable Carlos Martinez, Public Defender
- ABSENT: *Akilah Bain*, Assistant State Attorney for Honorable Katherine Fernandez-Rundle,
State Attorney
Sgt. Roslyn Buckner, Miami-Dade County Police Department for J.D. Patterson, Director
Wanda Walker Acting Assistant Director Community Action and Human Services Department
for Lucia Davis-Raiford, Director
David Vittoria, Administrative Director, Addiction Treatment Center, South Miami Hospital
Ron Lowy, Private Attorney
Dr. Ashley Austin, Assistant Professor of Social Work, Barry University
- 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. David Kahn, called the meeting to order at 9:15 a.m. in conference room 18-4 of the Stephen P. Clark Center, 111 NW 1 Street, Miami, Fl., 33128.
- Additions, Deletions or Changes to the Minutes: None
- Approval of Minutes from October 9, and November 13, 2013 (Vote):
- Report from the Chair: Mr. Kahn wished all a Happy New Year. He briefly summarized where we are with the Marchman Act issues the ASB has been working on for the past two years. The board has made some significant strides in improving the Marchman process, but the Chair stated that "we have hit a wall", because the Marchman statute is flawed, and at this point the board needs to reach out to the BCC to address the legislative changes the ASB is advocating for.
- Old Business/Discussion: Dr. Patricia Junquera, reported that she continues to receive questions on the Marchman process, especially from ER physicians. She continued that privately funded hospitals frequently do not want to admit Marchman clients, because the costs will not be reimbursed. Ms. Yamile Diaz added that this is one of the shortcomings of the Marchman Act, but that SFBHN can only contract with non-profit organizations. Mr. Raymond White asked if this issue is addressed in the proposal to streamline the Baker and Marchman Act documents, Ms. Diaz confirmed. She continued that she will be attending a Statewide DC&F meeting in Tampa in the near future, and offered to raise this issue. Dr. Claudio Perez agreed that this is a very timely issue. Mr. Paul Kaminsky stated that he is aware of an initiative to revise the Baker Act.

Motion: Sweeting
Second: Perez
Voted: 11
Absent: 6

The Chair reiterated that now is the time to reach out to Commissioners regarding the legislative changes to the Marchman statute, because all of the stakeholders (medical, legal, law enforcement, treatment professionals, etc.) are citing the same problems with the Marchman statute. Ms. Diaz agreed and added that we need to show the Commissioners what we have accomplished so far, but highlight that there are no other changes we can facilitate without the revision of the Marchman statute. The Chair suggested contacting Commissioner Jordan, since she has worked with the ASB on the Pain Clinic Ordinance in the past with great success. Mr. White suggested also reaching out to the current Chairperson of the Health and Social Services Committee. Staff will send an email requesting a meeting to Commissioner Jordan's assistant, with a request to also include the Chairperson of the Health and Social Services Committee. All members agreed. Mr. Richard Baron stated that the board needs to be very precise with its message when approaching the commissioners. The Chair asked for volunteers to be on the Marchman Committee, the following members volunteered: Mr. Richard Baron, Dr. Patricia Junquera, Judge Deborah White-Labora, Commander David Sanchez, Dr. Claudio Perez and Ms. Yamile Diaz.

Motion: Diaz
Second: Sanchez
Voted: 11
Absent: 6

(Ms. Diaz stated she is not sure if she will be able to attend, because she is a State employee, but she will verify this with her superiors). Staff will follow up with the committee members regarding talking points for the meeting.

Ms. Diaz shared her suggestion on filling one of the private sector vacancies on the ASB; she stated that it would be good for the board to again have representation from the SFBHN. All members agreed. Ms. Diaz also suggested that she feels Ms. Betty Hernandez from the SFBHN would be a great asset to the ASB. Dr. Perez responded that perhaps the Executive Director, Mr. John Dow, would like to serve on the ASB. Others responded that perhaps his schedule would not permit him to serve, but the board could ask if he himself could not commit, to appoint a member from his staff. ASB staff will prepare a letter to Mr. Dow.

Motion: Baron
Second: Perez
Voted: 11
Absent: 6

Sherriff's fees for service of summons, subpoenas and executions as it relates to the Marchman petition (Ron Lowy) – discussion was deferred until the next meeting.

- New Business: 2014 Sunset Review Report. Staff provided a draft of the ASB's 2014 Sunset Review Report for all to review. Mr. White pointed out that the section of the board's accomplishments since established did not include information on the Pain Clinic Ordinance the members worked on with Commissioner Jordan in 2010/2011. Staff stated that this was an oversight (it was listed in the 2012 Sunset Review Report), and that corrections will be made immediately. Staff will forward a final version to all members. All members agreed to approve the 2014 Sunset Review Report with the correction stated above.
- The meeting was adjourned at 10:05 a.m. The next ASB meeting is scheduled for February 12, 2014 at 9:00 a.m., Stephen P. Clark Center, room 18-4.

Motion: Montilla
Second: Baron
Voted: 11
Absent: 6