

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: December 16, 2014

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

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Chairwoman Rebeca Sosa, Commissioner Barbara J. Jordan, Commissioner Jose "Pepe" Diaz, Commissioner Dennis C. Moss and Commissioner Daniella Levine Cava and Co-Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM

(Revised)

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

DATE: December 16, 2014

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

SUBJECT: Agenda Item No.11(A) (6)

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

Agenda Item No. 11(A)(6)

Veto _____

12-16-14

Override _____

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, in 2013 an estimated 3.9 million Floridians were without health insurance; and

WHEREAS, approximately 1.3 million uninsured adults in Florida have incomes at or below 138 percent of the federal poverty level; and

WHEREAS, between 2007 and 2012, the cost of basic housing, child care, transportation, food, and health care in Florida increased by 13 percent; and

WHEREAS, the 111th 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 of 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 beginning in the fourth year, starting at five percent in calendar year 2017 with a peak state contribution of 10 percent 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 760,000 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, Senate Bill (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, during the 2014 session, Senator Rene Garcia (R – Miami), sponsored SB 710, which would have proposed expanding the number of Floridians who qualify for coverage using Medicaid expansion funding under the Affordable Care Act, through the Healthy Kids and Healthy Florida programs; and

WHEREAS, the identical House companion bill was House Bill (HB) 869, sponsored by Representative Amanda Murphy (D – New Port Richey); and

WHEREAS, neither SB 710 nor HB 869 received a committee hearing during the 2014 session and, as in the 2013 session, no bill related to Medicaid expansion pursuant to the Affordable Care Act passed the Florida Legislature; and

WHEREAS, the Florida Legislature continues to have an opportunity to expand Medicaid to cover an estimated 760,000 additional Florida residents; and

WHEREAS, Medicaid expansion would provide those 760,000 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 2015; 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, the financial impact of not expanding Medicaid would be felt most acutely by the “safety-net” hospitals that serve uninsured and low-income families, such as Jackson Health System which could lose more than \$570 million a year in federal funding; and

WHEREAS, other hospitals in Miami-Dade County, including the University of Miami Hospital and Mount Sinai Medical Center, could lose as much as a combined \$60 million a year in federal funding; and

WHEREAS, hospitals in Broward, Palm Beach and Monroe counties stand to lose more than \$500 million in annual federal funding; 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 760,000 people who would qualify for coverage under Medicaid expansion are currently employed but do not have access to affordable employer-sponsored insurance; and

WHEREAS, if Medicaid is expanded, Florida would receive approximately \$5.2 billion in federal funding in 2016; and

WHEREAS, those dollars would also support approximately 71,300 new jobs in Florida in 2016, resulting in an increased economic activity of \$8.9 billion; and

WHEREAS, the failure to enact Medicaid expansion, however, will be a detriment to the health, social and behavioral outcomes for the 760,000 people that would qualify for coverage under Medicaid expansion, 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, House Speaker, Senator Rene Garcia and the Chair and remaining 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 amend the 2015 State Legislative Package to include this item.

The Co-Prime Sponsors of the foregoing resolution are Chairwoman Rebeca Sosa, Commissioner Barbara J. Jordan, Commissioner Jose "Pepe" Diaz, Commissioner Dennis C. Moss, and Commissioner Daniella Levine Cava and the Co-Sponsor is Commissioner Audrey M. Edmonson. 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

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Daniella Levine Cava	Jose "Pepe" Diaz
Audrey M. Edmonson	Sally A. Heyman
Barbara J. Jordan	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of December, 2014. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

APA

Annery Pulgar Alfonso