

MEMORANDUM

Agenda Item No. 11(A)(7)

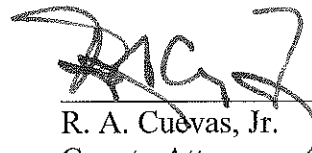
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 18, 2015

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

SUBJECT: Resolution urging the Florida
Legislature to appropriate
additional funding for Florida's
Medicaid Program and to
significantly improve access
to medical and dental care for
needy children

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/smm



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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)(7)

2-18-15

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
APPROPRIATE ADDITIONAL FUNDING FOR FLORIDA'S
MEDICAID PROGRAM AND TO SIGNIFICANTLY IMPROVE
ACCESS TO MEDICAL AND DENTAL CARE FOR NEEDY
CHILDREN

WHEREAS, Medicaid is a cooperative federal-state program through which the federal government provides financial assistance to states to furnish medical care to needy adult and pediatric patients; and

WHEREAS, if a state chooses to participate in the Medicaid program, it must comply with the federal requirements of the program; and

WHEREAS, the requirements of the Medicaid program include, among other things, that payments to providers under the program must be sufficient to enlist enough providers so that care and services are available to eligible individuals at least to the extent that such care and services are available to the general population; and

WHEREAS, Florida Medicaid providers for needy children are very often paid far below what private insurers pay for the same services and below what physicians are paid in the Medicare program for elderly patients; and

WHEREAS, The difference between Florida's Medicaid reimbursement levels and those for Medicare will likely increase in the coming years because Medicare reimbursement rates account for cost-of-living changes, while Florida's Medicaid program does not; and

WHEREAS, Florida's Medicaid reimbursement level was in the lowest quintile of states in the United States as of 2003 and it has continued to decline relative to other states; and

WHEREAS, the State's Medicaid reimbursement rates for pediatric, dental and specialty care for children are considered so low that they drive many doctors away from treating children insured by Medicaid; and

WHEREAS, as of 2009, more than 20 percent of pediatricians in Florida were not accepting any new Medicaid patients and more than 60 percent of family practitioners were not accepting new Medicaid patients; and

WHEREAS, primarily because of low reimbursement rates, many pediatricians who do see Medicaid patients place significant limits on the number of Medicaid patients that they treat; and

WHEREAS, Florida regulators have not conducted any recent studies as to whether physicians' Medicaid fees are sufficient to comply with the requirements of the Medicaid program; and

WHEREAS, one non-government expert who reviewed Florida Medicaid concluded that a primary care practice comprised of 75 percent Florida Medicaid patients could not remain solvent, even if the physician worked for free; and

WHEREAS, many Florida children on Medicaid often have to wait for unreasonably long periods of time or travel to other areas of the state to obtain care; and

WHEREAS, approximately one-third of Florida children on Medicaid do not receive the preventative medical care that they are supposed to receive; and

WHEREAS, 79 percent of children on Medicaid in Florida were not receiving any dental care as of 2007, which is tied for the lowest Medicaid dental utilization in the United States; and

WHEREAS, in light of the aforementioned deficiencies and other concerns, the United States District Court for the Southern District of Florida issued a ruling on December 29, 2014

that found sweeping violations of the regulations governing the Medicaid program by the State of Florida; and

WHEREAS, the federal court found, among other things, that Florida's Medicaid reimbursement levels are not sufficient for Florida Medicaid to be a competitive purchaser of medical services for children and that Medicaid children lack equal access to primary care; and

WHEREAS, this Board believes that all children are of equal value and deserve equal access to critical health care services; and

WHEREAS, reimbursement rates are the most important factor in determining whether providers participate in the Medicaid program and correspond to an increase in the access to care for children; and

WHEREAS, this Board urges the Florida Legislature to appropriate enough additional funding for Florida's Medicaid program to significantly improve medical and dental care for needy children, as well as take any other measures necessary to comply with federal law and improve access to care for children who are eligible for Florida's Medicaid program,

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

Section 1. Urges the Florida Legislature to appropriate enough additional funding for Florida's Medicaid program to significantly improve medical and dental care for needy children as well as take any other measures necessary to comply with federal law and improve access to care for children who are eligible for Florida's Medicaid program.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Chair and Members of the Miami-Dade County State Legislative Delegation and the Secretary of the Florida Agency for Healthcare Administration.

Section 3. Directs the County's state lobbyists to advocate for the issue identified 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 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of February, 2015. 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.

Christopher C. Kokoruda