

MEMORANDUM

Agenda Item No. 11(A)(18)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners


DATE: February 4, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Department of Health to add
Suboxone to the AIDS Drug
Assistance Program formulary
and supporting the Miami-Dade
County HIV/AIDS Partnership's
recommendation for same

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams 
County Attorney

APW/smm



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 11(A)(18)

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
- Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(18)

Veto _____

2-4-20

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA DEPARTMENT OF HEALTH TO ADD SUBOXONE TO THE AIDS DRUG ASSISTANCE PROGRAM FORMULARY AND SUPPORTING THE MIAMI-DADE COUNTY HIV/AIDS PARTNERSHIP'S RECOMMENDATION FOR SAME

WHEREAS, opioids are a class of drugs that include the illicit drug heroin as well as the prescription pain relievers oxycodone, hydrocodone, codeine, morphine, fentanyl and others; and

WHEREAS, individuals, families, communities and health care systems are struggling to cope with substance use, substance misuse and substance use disorder; and

WHEREAS, opioid use disorder, which is also referred to as opioid abuse, opioid dependence and opioid addiction, is based on specific criteria such as unsuccessful efforts to cut down or control use, significant clinical impairment or distress, as well as use resulting in social problems and a failure to fulfill obligations at work, school, or home; and

WHEREAS, in November 2016, the United States Surgeon General released "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs and Health" ("Report"); and

WHEREAS, the Report states that substance use disorders represent one of the most pressing public health crises of our times; and

WHEREAS, opioid overdose incidents and deaths pose serious threats to public health; and

WHEREAS, on January 2016, the Centers for Disease Control and Prevention ("CDC") reported that since 2000, the rate of deaths from opioid overdoses in the United States increased 200 percent; and

WHEREAS, the CDC reports that drug overdose deaths in the United States hit record numbers in 2014; and

WHEREAS, opioids are involved in more than six out of every 10 drug overdose deaths; and

WHEREAS, since 1999, the rate of overdose deaths involving opioids, including prescription opioid pain relievers and heroin, nearly quadrupled with prescription opioid overdoses causing the deaths of over 165,000 people; and

WHEREAS, according to a June 2016 report from the United States Department of Health and Human Services, the economic impact of the opioid epidemic is \$55 billion in health and social costs related to prescription opioid abuse each year and \$20 billion in emergency department and inpatient care for opioid poisonings; and

WHEREAS, the impact of this national epidemic can especially be seen and felt in Florida where opioid addiction has become an increasingly alarming public safety and health crisis; and

WHEREAS, in fact, Florida ranks fourth in the nation for total health care costs attributed to opioid abuse; and

WHEREAS, additionally, Florida has the 11th highest drug overdose mortality rate in the nation with the number of drug overdose deaths in the state doubling since 1999; and

WHEREAS, residents throughout the state, in rural and suburban communities alike, are confronting opioid addiction and resulting overdose deaths; and

WHEREAS, according to the CDC, opioids along with the heroin crisis has led to increased numbers of people who inject drugs, thus placing new populations at risk of being infected with human immunodeficiency virus (“HIV”); and

WHEREAS, according to an epidemiology report published by the Florida Department of Health in 2018, there are 28,345 persons living with HIV in Miami-Dade County; and

WHEREAS, South Florida has long been known for its high infection rate, with Miami-Dade and Broward counties leading the nation in new HIV infections; and

WHEREAS, the use of opioids and other drugs further exasperates the problem for persons living with HIV or acquired immunodeficiency syndrome (“AIDS”); and

WHEREAS, records show that persons with HIV who are under the influence of opioids or other drugs may not seek or adhere to their treatment regimen for HIV/AIDS, thus placing such persons at risk for further complications from HIV/AIDS, including death; and

WHEREAS, Suboxone (also known as buprenorphine) contains an opioid medication used in the maintenance treatment of opioid addiction; and

WHEREAS, the use of Suboxone would be helpful for those persons living with HIV/AIDS and who also suffer from substance abuse disorder; and

WHEREAS, this Board adopted Ordinance No. 98-127, as amended, to create the Miami-Dade County HIV/AIDS Partnership (“Partnership”) for the purpose of enabling the County and other governmental entities to apply for, receive, plan for, assess, and allocate financial assistance under the Ryan White Program, and other federal programs that assist persons living with HIV/AIDS; and

WHEREAS, the Partnership advises this Board, the County Mayor, and other governmental entities, including, but not limited to, the Florida Department of Health, on HIV/AIDS related issues; and

WHEREAS, on November 18, 2019, the Partnership sent a letter, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference, to the Florida Department of Health to recommend that it consider adding Suboxone to the AIDS Drug Assistance Program (“ADAP”) formulary to ensure that persons with HIV/AIDS and suffering from substance abuse disorder can access this drug; and

WHEREAS, ADAP is a state and territory-administered program authorized under Part B of the Ryan White Reauthorization Act that provides medications approved by the United States Federal Drug Administration to low-income people living with HIV who have limited or no health coverage from private insurance, Medicaid, or Medicare; and

WHEREAS, this Board wishes to support the Partnership’s recommendation and urge the Florida Department of Health through the Florida ADAP to add Suboxone to the ADAP formulary,

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

Section 1. Urges the Florida Department of Health to add Suboxone to the AIDS Drug Assistance Program (“ADAP”) formulary, and supports the Miami-Dade County HIV/AIDS Partnership’s recommendation for same.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Chair and Members of the Miami-Dade legislative delegation, the Surgeon General/Secretary of the Florida Department of Health, and the Director of the Florida Department of Health’s ADAP Office.

Section 3. Directs the County’s state lobbyists to advocate for the action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Chairwoman 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:

- | | |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman | |
| Rebeca Sosa, Vice Chairwoman | |
| Esteban L. Bovo, Jr. | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Eileen Higgins | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Dennis C. Moss | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of February, 2020. 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.



Terrence A. Smith



November 18, 2019

Jimmy Llaque
ADAP Director
HIV/AIDS Section, Patient Care
Florida Department of Health
4052 Bald Cypress Way Bin A09
Tallahassee, FL, 32399

Dear Mr. Llaque:

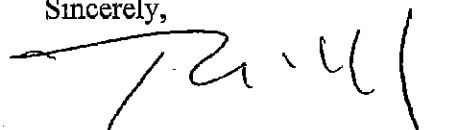
I am writing this letter to you on behalf of the Miami-Dade HIV/AIDS Partnership (the "Partnership"). The Partnership is the local HIV/AIDS planning body in Miami-Dade County, setting priorities and allocating funding for the Ryan White Program. In accordance with Section 2-1104 (f) of the Code of Miami-Dade County, the Partnership serves in an advisory capacity to the Miami-Dade Board of County Commissioners, the Mayor of Miami-Dade County, and other governmental entities "with respect to all issues affecting or relating to person at risk of contracting the virus and persons living with the virus".

Based on the recommendations of the Partnership's Medical Care Subcommittee, our clinical care evaluation subcommittee comprised of medical professionals, we would like to request the AIDS Drug Assistance Program (ADAP) program consider adding Suboxone to the ADAP formulary. Access to this medication-assisted therapy would be helpful for those clients with substance use disorders.

If you have any questions regarding the recommendation, please contact Behavioral Science Research, the staff support for the planning body, at 305-445-1076.

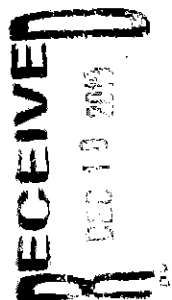
Thank you in advance for your efforts to improve the health needs of HIV positive clients in Miami-Dade County.

Sincerely,



Travis Neff, Chair of Partnership

- cc: Honorable Members of the Miami-Dade Board of County Commissioners
- Carlos A. Giménez, Mayor
- Abigail Price Williams, County Attorney, CAO
- Geri Bonzon-Keenan, First Assistant County Attorney, CAO
- Terrence A. Smith, Assistant County Attorney, CAO
- Yesenia Villalta, Administrator, Florida Department of Health in Miami-Dade County
- Maribel Zayas, Chief Financial Officer, Florida Department of Health in Miami-Dade County



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