

# MEMORANDUM

Agenda Item No. 11(A)(8)

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

**DATE:** December 15, 2020

**FROM:** Geri Bonzon-Keenan  
Successor County Attorney

**SUBJECT:** Resolution directing the County Mayor to: (1) explore opportunities to participate in intergovernmental transfers with the State of Florida Agency for Health Care Administration as part of the low income pool on behalf of Banyan Community Health Center, Inc., for the purpose of expanding health care services in Miami-Dade County in an amount not to exceed \$500,000.00; (2) explore entering into any necessary agreements, including a letter of agreement with the State of Florida Agency for Health Care Administration, subject to Board approval, to effectuate same; and (3) provide a report

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Acting Chairwoman Rebeca Sosa.



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Geri Bonzon-Keenan  
Successor County Attorney


GBK/uw



**MEMORANDUM**  
(Revised)

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

**DATE:** December 15, 2020

**FROM:**   
Gen Bonzon-Keenan  
Successor County Attorney

**SUBJECT:** Agenda Item No. 11(A)(8)

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(8)  
12-15-20

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO: (1) EXPLORE OPPORTUNITIES TO PARTICIPATE IN INTERGOVERNMENTAL TRANSFERS WITH THE STATE OF FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION AS PART OF THE LOW INCOME POOL ON BEHALF OF BANYAN COMMUNITY HEALTH CENTER, INC., FOR THE PURPOSE OF EXPANDING HEALTH CARE SERVICES IN MIAMI-DADE COUNTY IN AN AMOUNT NOT TO EXCEED \$500,000.00; (2) EXPLORE ENTERING INTO ANY NECESSARY AGREEMENTS, INCLUDING A LETTER OF AGREEMENT WITH THE STATE OF FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION, SUBJECT TO BOARD APPROVAL, TO EFFECTUATE SAME; AND (3) PROVIDE A REPORT

**WHEREAS**, Banyan Community Health Center, Inc. (“Banyan”) is a not-for-profit healthcare organization dedicated to advancing the health and well-being of the South Florida community, and provides quality, integrated care that combines prevention, disease control, consumer education, research, and evidence-based clinical services; and

**WHEREAS**, Banyan is a Federally Qualified Health Center (FQHC) that receives federal government funds to provide primary health care services in underserved areas; and

**WHEREAS**, Banyan is also a centralized receiving facility for behavioral health crisis stabilization and serves as a coordinated entry point for persons with behavioral health or substance use disorders in Miami-Dade County; and

**WHEREAS**, Florida’s section 1115 Medicaid waiver created a Low Income Pool (LIP) to be used to provide supplemental payments to providers who provide services to Medicaid and uninsured patients; and

**WHEREAS**, the LIP program also authorizes supplemental Medicaid payments to certain provider access systems, such as FQHCs, to cover the cost of providing services to Medicaid recipients, the uninsured and the underinsured; and

**WHEREAS**, the LIP is funded through county and other local tax dollars that are transferred to the state and used to draw a federal match, which is known as “intergovernmental transfers” or IGTs; and

**WHEREAS**, counties participate in IGTs in the form of an executed Letter of Agreement with the Florida Agency for Health Care Administration (AHCA) containing the total amount of the IGT authorized no later than October 1 of each year, and are required to transfer the committed funds to AHCA no later than October 31; and

**WHEREAS**, this Board finds that exploring opportunities to participate in intergovernmental transfers with the State of Florida Agency for Health Care Administration on behalf of Banyan for the purpose of expanding health care services in Miami-Dade County is in the best interest of the County,

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

**Section 1.** Directs the County Mayor or County Mayor’s designee to: (1) explore opportunities to participate in intergovernmental transfers with the State of Florida Agency for Health Care Administration as part of the Low Income Pool on behalf of Banyan Community Health Center, Inc., for the purpose of expanding health care services in Miami-Dade County, in an amount not to exceed \$500,000.00; and (2) explore entering into any necessary agreements, including a letter of agreement with the State of Florida Agency for Health Care Administration, subject to Board approval, to effectuate same.

**Section 2.** Directs the County Mayor or County Mayor’s designee to prepare a report regarding the directives described in section 1, to include, at a minimum, a recommendation regarding possible participation in such intergovernmental transfers to the extent feasible, the required steps to finalize and execute any necessary agreements, the identification of available funds for this purpose, and the fiscal implications associated with same. The report shall be provided to this Board within 30 days of the effective date of this resolution, and shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Acting Chairwoman Rebeca Sosa. 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, Acting Chairwoman	
Jose “Pepe” Diaz	Sen. René García
Oliver G. Gilbert, III	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 15<sup>th</sup> day of December, 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.



Christopher C. Kokoruda