

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A) (54)
4-24-07

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

RESOLUTION NO. R-475-07

**RESOLUTION URGING CONGRESS TO AMEND FEDERAL
LAW TO ALLOW FEDERAL FINANCIAL PARTICIPATION
IN PROVIDING MEDICAL BENEFITS TO INCARCERATED
INDIVIDUALS UNTIL CONVICTED AND SENTENCED TO
SECURE DETENTION**

WHEREAS, U.S. Code of Federal Regulations, Title 42, Part 435.1009 states that Federal Financial Participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions; and

WHEREAS, states being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility; and

WHEREAS, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction; and

WHEREAS, counties must provide medical services to all persons incarcerated in local jails and detention facilities; and

WHEREAS, as a result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties,

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

Section 1. Urges the U.S. Congress and the U.S. Department of Health and Human Services to amend federal law to allow federal financial participation in providing medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation and the Secretary of the U.S. Department of Health and Human Services.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation and/or rule change set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 Federal Legislative Package.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and Commissioner Rebeca Sosa and offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye		
	Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent	
Carlos A. Gimenez	aye	Sally A. Heyman	absent	
Joe A. Martinez	aye	Dennis C. Moss	aye	
Dorrin D. Rolle	aye	Natacha Seijas	absent	
Katy Sorenson	aye	Rebeca Sosa	aye	
Sen. Javier D. Souto	aye			

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



KAY SULLIVAN

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

MEMORANDUM

Agenda Item No. 11(A) (54)

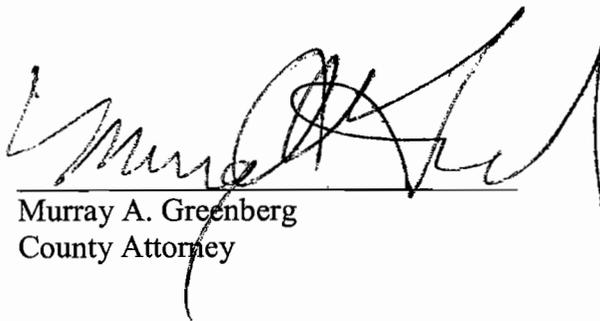
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to
providing medical benefits to
incarcerated individuals

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman and Commissioner Rebeca Sosa.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(54)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review