

## MEMORANDUM

Agenda Item No. 11(A)(16)

---

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

**DATE:** June 3, 2014

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

**SUBJECT:** Resolution urging Congress to  
pass the Medicare Fraud  
Enforcement and Prevention  
Act of 2013, H.R. 418, or  
similar legislation that would  
reduce Medicare waste, fraud,  
and abuse

Resolution No. R-545-14

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.



---

R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

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

**DATE:** June 3, 2014

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

**SUBJECT:** Agenda Item No. 11(A) (16)

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)(16)

Veto \_\_\_\_\_

6-3-14

Override \_\_\_\_\_

RESOLUTION NO. R-545-14

RESOLUTION URGING CONGRESS TO PASS THE  
MEDICARE FRAUD ENFORCEMENT AND PREVENTION  
ACT OF 2013, H.R. 418, OR SIMILAR LEGISLATION THAT  
WOULD REDUCE MEDICARE WASTE, FRAUD, AND  
ABUSE

**WHEREAS**, Medicare is a federal health insurance program for people aged 65 and older, certain younger people with disabilities, and people with End-Stage Renal Disease; and

**WHEREAS**, Medicare fraud occurs when Medicare is billed for services or supplies the patient never received; and

**WHEREAS**, Medicare abuse occurs when doctors or suppliers do not follow sound medical practices, which leads to unnecessary costs to Medicare, improper payments, or services that are not medically necessary; and

**WHEREAS**, Medicare loses billions of dollars to fraudulent and improper claims every year, resulting in wasted taxpayer dollars and increased health care costs for everyone; and

**WHEREAS**, federal health officials have identified South Florida as one of several major Medicare fraud “hot spots,” along with Los Angeles, Houston, and Chicago; and

**WHEREAS**, despite convictions of more than 1,000 defendants in South Florida alone, the region accounts for one-third of all healthcare fraud prosecutions in the nation; and

**WHEREAS**, a bill entitled the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, has been filed for consideration during the 113th Congress by Representative Ileana Ros-Lehtinen (R – Florida); and

**WHEREAS**, the Medicare Fraud Enforcement and Prevention Act of 2013 would reduce Medicare waste, fraud, and abuse by:

- (1) doubling the fines and jail time for those convicted of Medicare fraud;

- (2) creating a new criminal offense punishable with a 10 year minimum sentence for those who knowingly sell or distribute the ID numbers of Medicare beneficiaries;
- (3) prohibiting individuals who have been part of Medicare fraud in the past from billing Medicare if they switch companies;
- (4) implementing a pilot program utilizing biometric technology to ensure the legitimacy of Medicare claims; and
- (5) facilitating real-time information sharing among law enforcement agencies to aid in the uncovering and dismantling of Medicare scams; and

**WHEREAS**, this Board would like to express its support for the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, or similar legislation that would reduce Medicare waste, fraud, and abuse,

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

**Section 1.** Urges Congress to pass the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, or similar legislation that would reduce Medicare waste, fraud, and abuse.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation, Congresswoman Ileana Ros-Lehtinen, and the Secretary of Health and Human Services.

**Section 3.** Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 Federal Legislative Package to include this item and to include this item in the 2015 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. It was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	<b>aye</b>
	Lynda Bell, Vice Chair	<b>aye</b>
Bruno A. Barreiro	<b>absent</b>	Esteban L. Bovo, Jr. <b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson <b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan <b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss <b>absent</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez <b>aye</b>
Juan C. Zapata	<b>absent</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of June, 2014. 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

By: **Christopher Agrippa**  
Deputy Clerk



Approved by County Attor...  
to form and legal sufficiency. MSM

Michael J. Mastrucci