

Memorandum



Date: January 13, 2014

To: Honorable Chairwoman Rebeca Sosa and Members
Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Report Regarding Resolution Regarding the Affordable Care Act and County Efforts

On October 1, 2013, the Board of County Commissioners (Board) passed Resolution R-821-13 regarding the use of appropriate Miami-Dade County facilities dispersed throughout the County to educate Miami-Dade County residents about health insurance coverage options available under the Affordable Care Act.

In response to this Resolution, the Internal Services Department (ISD) and the County Attorney's Office (CAO) have reviewed the Core Contract and Lease Agreements with the State of Florida Department of Health (DOH) to determine whether the County has the right to require the DOH to provide space to the Affordable Care Act Navigators (Navigators) in buildings they lease from the County. In consultation with the CAO, it was determined that there are no provisions in the Core Contract or Lease Agreements that would enable the County to require the DOH allow access for Navigators. Likewise, the CAO reviewed the language in the leases the County has entered into with private landlords on behalf of the DOH and has determined that the County does not have the right to require the DOH provide space to Navigators since the County assigns all of its rights in the Lease Agreement to the DOH and relieves itself of any and all obligations in the lease agreements. The County, can however, enter into negotiations with the DOH to amend such agreements if it is the direction of this Board, although other jurisdictions who have passed similar resolutions have not.

Notwithstanding, ISD has looked into other ways to allow Navigators access to County facilities and has identified the below list of County buildings managed by ISD that may be suitable for this use. All entities would have to request the use of space through a permit process managed by ISD, which requires staff review and approval. The following are the facilities identified:

- Caleb Center – 5400 NW 22nd Avenue
- Landmark Property 20000 NW 47 Avenue
- Metro Flagler Building – 140 W Flagler Street
- South Dade Government Center – 10710 SW 211 Street
- Stephen P. Clark Center – 111 NW 1st Street

In addition to the above mentioned buildings, Parks, Recreation and Open Spaces (PROS) park facilities such as Arcola Lakes Park, Country Village, Deerwood Bonita Lakes, Goulds Gym, Gwen Cherry, Highland Oaks, Olinda, Ruben Dario, South Dade, West Perrine and Westwind Lakes Parks' are available for use as well. These sites have Technology Learning Centers with access to computers which could be used to access the Health Marketplace website.

All Miami-Dade County Libraries have been made available to host educational events and a webpage has been established (http://www.mdpls.org/aca/aca_guide.asp) with access to the Health Insurance Marketplace and helpful videos on how to apply for coverage. Library staff is working with the Centers for Medicare and Medicaid Services, the Health Council of South Florida and the Dade

League of Women Voters to coordinate educational workshops for the public and is distributing printed materials with helpful information. Staff participated in formal training sessions the week of October 7th to guide them in providing answers to the public. Staff is also being updated on a daily basis as new information is released.

The Community Action and Human Services Department (CAHSD) has trained a broad group of employees to increase their understanding of the Affordable Care Act. These employees are able to provide basic information to residents seeking information. Additionally, CAHSD has computers available in the community service centers for residents to utilize to access the Health Marketplace website and apply for coverage. CAHSD is also offering space to Navigators, once appropriately vetted, to meet with residents and assist in completing the application process. Attached is the listing of the Community Service Centers including the address and contact staff information.

Furthermore, through the coordinated efforts of the Health Council of South Florida and Miami-Dade Transit, Enroll America was provided access to rail stations and bus terminals to provide patrons information about the Health Insurance Marketplace and to recruit additional volunteers to assist with outreach/education efforts.

The Community Information and Outreach Department (CAIO) developed a website (www.miamidade.gov/healthcare) and a 311 knowledge base in anticipation of the various requests for information surrounding the Affordable Care Act and the healthcare options available to prepare for inquiries about the federal program. In an effort to educate the public about the marketplace options, an information box was also placed on the home page of miamidade.gov. With web traffic on the County portal reaching almost 1 million visitors per month, CIAO will use the County's homepage to further communicate any changes or updates through the enrollment period ending in March 2014.

CIAO will also use social and digital media to communicate details about the program through Facebook and Twitter feeds, eNewsletters to employees and through portal subscriber scheduled eNewsletters. These education efforts will direct residents to the toll free number and the healthcare.gov website created by the Federal government. Supplemental information will be posted on the County's website and made available through the 311 knowledge base.

Jackson Health System Navigator Grant

The Public Health Trust/Jackson Health System (JHS) received a Navigator Grant of \$238,000.00 for the period between November 30, 2013 and August 14, 2014. CMS provided Jackson with a deadline of December 2, 2013 by which dedicated Navigators would be hired, certified and in place to provide education and enrollment services to the community. Jackson has complied with this deadline and there are six full time employees dedicated to the effort. These Navigators are based out of JHS and conduct a minimum of one outreach program, in Miami-Dade County, each month for the term of the Grant. JHS staff is working in conjunction with Commissioners' offices on scheduled outreach events and is scheduling Navigators on a weekly basis at libraries across the County.

The Health Council of South Florida

The Health Council of South Florida (HCSF) is an established Centers' for Medicare and Medicaid Services Champion for Coverage and a Certified Application Counselor (CAC) organization. HCSF has been providing Miami-Dade County residents information regarding the Affordable Care Act and Health Insurance Marketplace since its passing in March 2010.

By leveraging a private funding opportunity, HCSF has partnered with Enroll America to host Affordable Care Act/Health Insurance Marketplace informational sessions and enrollment opportunities with Certified Application Counselors throughout Miami-Dade County. HCSF has surveyed the existing Affordable Care Act/Health Insurance Marketplace outreach, education and enrollment efforts in Miami-Dade County. The HCSF utilizes this information to strategically place HCSF Certified Application Counselors in communities that currently lack coverage, increasing accessibility to residents. HCSF continues to work with area partners to host and orchestrate enrollment efforts in their respective communities, increasing overall efficiency and alleviating duplication of efforts and encouraging collaboration and coordination.

Health Council of South Florida was selected by the United States Department of Health and Human Services to host a weekly stakeholder call of all partners working in Miami-Dade County to report on efforts regarding the Health Insurance Marketplace.

Health Council of South Florida community efforts include coordinating with Enroll America to host three mass informational and enrollment events at Miami-Dade College's computer labs and as mentioned above, working with County departments such as Miami-Dade Transit to coordinate a "Weekend of Action" with Enroll America volunteers, coordinating with the League of Women Voters and Enroll America to host informational sessions in libraries throughout the county, and working with County facilities and parks on informational and enrollment opportunities. HCSF has also established a webpage dedicated to the Affordable Care Act and Health Insurance Marketplace including the most up to date news and resources, a community calendar of events and links to in-person assisters in Miami-Dade County. For more information, please visit: www.miamidadematters.org/aca.

Miami-Dade County is committed to offering access to Navigators at the facilities mentioned above so that the community is aware of the options available. If you have any further questions, please contact Deputy Mayor Alina T. Hudak at 305-375-2531 or me directly at 305-375-1880.

- c: R. A. Cuevas, Jr., County Attorney
Alina T. Hudak, Deputy Mayor/Interim Director of Public Works and Waste Management
Carlos A. Migoya, President and CEO, Jackson Health System
Office of the Mayor Senior Staff
Lester Sola, Director, Internal Services Department
Raymond Santiago, Director, Miami-Dade Libraries
Jack Kardys, Director, Parks, Recreation and Open Spaces
Lucia Davis-Raiford, Director, Community Action and Human Services Department
Henry Sori, Director, Community Information and Outreach

MEMORANDUM

Agenda Item No. 14(A)(2)

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

DATE: October 1, 2013

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

SUBJECT: Resolution regarding Affordable
Care Act Health Insurance
Options

Resolution No. R-821-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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

DATE: October 1, 2013

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

SUBJECT: Agenda Item No. 14(A) (2).

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. 14(A)(2)
10-1-13

RESOLUTION NO. R-821-13

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO (I) IDENTIFY APPROPRIATE COUNTY FACILITIES AND PROPERTY THROUGHOUT THE COUNTY THAT NAVIGATORS COULD USE TO EDUCATE MIAMI-DADE COUNTY RESIDENTS ABOUT AFFORDABLE CARE ACT HEALTH INSURANCE OPTIONS AND (II) FACILITATE USE BY NAVIGATORS OF SUCH COUNTY FACILITIES AND PROPERTY FOR SUCH PURPOSES; FURTHER DIRECTING THE MAYOR OR DESIGNEE TO REVIEW LEASES AND OTHER AGREEMENTS THE COUNTY HAS ENTERED INTO WITH OR ON BEHALF OF THE FLORIDA DEPARTMENT OF HEALTH FOR COUNTY HEALTH DEPARTMENT FACILITIES AND PROVIDE A REPORT AS TO AVAILABLE OPTIONS TO REQUIRE THE FLORIDA DEPARTMENT OF HEALTH TO ALLOW AFFORDABLE CARE ACT NAVIGATORS ACCESS TO COUNTY HEALTH DEPARTMENT FACILITIES; URGING THE FLORIDA DEPARTMENT OF HEALTH TO REVISIT ITS DIRECTIVE PROHIBITING NAVIGATORS FROM EDUCATING FLORIDA RESIDENTS AT COUNTY HEALTH DEPARTMENT FACILITIES ABOUT HEALTH INSURANCE OPTIONS UNDER THE AFFORDABLE CARE ACT

WHEREAS, the 111th United States Congress passed the Patient Protection and Affordable Care Act of 2010 ("Affordable Care Act"), and on March 23, 2010, the President signed the bill into law; and

WHEREAS, on October 1, 2013, open enrollment will begin under the Affordable Care Act; and

WHEREAS, among its sweeping changes to the U.S. health care system, the Affordable Care Act requires health insurers to make coverage available to all individuals and employers,

without exclusions for preexisting conditions and without basing premiums on any health-related factors; and

WHEREAS, beginning on October 1, 2013, individuals and small businesses will be able to purchase private health insurance through state-based marketplaces called affordable insurance exchanges; and

WHEREAS, exchanges must certify qualified health plans offered by insurers through the exchange, and coverage can be effective beginning on January 1, 2014; and

WHEREAS, under the Affordable Care Act, the United States Department of Health and Human Services is directed to establish and operate exchanges within states that do not elect to establish an exchange, which is the current situation in the State of Florida; and

WHEREAS, the Affordable Care Act provides for “navigators” who will educate and raise awareness of the availability of qualified health plans, distribute fair and impartial information concerning enrollment in qualified health plans and facilitate enrollment in qualified health plans; and

WHEREAS, on September 9, 2013, a Deputy Secretary of the Florida Department of Health distributed an email to County Health Department administrators indicating that while County Health Departments could receive materials from Affordable Care Act navigators, such navigators could not conduct educational or informational activities on the grounds of County Health Department facilities; and

WHEREAS, County Health Departments, including the Miami-Dade County Health Department, are not county entities, but are instead state agencies under the purview of the Florida Department of Health; and

WHEREAS, on September 24, 2013, the Broward County Board of County Commissioners adopted a resolution expressing its disapproval of the directive by the Florida Department of Health that ordered all local health departments to ban Affordable Care Act navigators from all Florida Department of Health locations, including County Health Departments; and

WHEREAS, the Broward County resolution also directed the Broward County Administrator to permit access to Affordable Care Act navigators for the purpose of providing information relating to the Affordable Care Act to any appropriate Broward County facilities or property, including any facility leased from Broward County to the Florida Department of Health; and

WHEREAS, according to the most recent data from the American Community Survey of the United States Census Bureau, an estimated 4 million Floridians have no health insurance, the second highest rate of uninsured in the United States; and

WHEREAS, it has been reported that Miami-Dade County has Florida's largest number of uninsured residents under the age of 65, with more than one-third of all Miami-Dade County residents being uninsured; and

WHEREAS, given the large number of uninsured residents, there is a substantial and urgent need among Miami-Dade County residents for health care coverage and assistance in navigating the new health care law; and

WHEREAS, this Board supports using appropriate Miami-Dade County facilities dispersed throughout the County to educate Miami-Dade County residents about health insurance coverage options available under the Affordable Care Act; and

WHEREAS, Miami-Dade County has entered into leases with and on behalf of the Florida Department of Health for Health Department facilities located in Miami-Dade County; and

WHEREAS, this Board would like to direct the Mayor or designee to review such leases and identify options that may be available to the Board to require the Florida Department of Health to allow access for Affordable Care Act navigators to County Health Department facilities; and

WHEREAS, this Board also would like to urge the Florida Department of Health to revisit its directive to all County Health Departments to prohibit Affordable Care Act navigators from conducting education activities on the grounds of the County Health Departments,

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

Section 1. Directs the Mayor or designee to identify appropriate County facilities and property throughout Miami-Dade County including, but not limited to, administration buildings, libraries and parks, that Affordable Care Act navigators could use to educate Miami-Dade County residents about health insurance options available under the Affordable Care Act, and to provide a report to the full Board, without committee review, identifying such facilities and property within 30 days of the effective date of this resolution.

Section 2. Further directs the Mayor or designee to allow access for Affordable Care Act navigators to appropriate County facilities and property, and to facilitate such navigators providing fair, accurate and impartial information and services to Miami-Dade County residents about health insurance options under the Affordable Care Act.

Section 3. Directs the Mayor or designee to review leases Miami-Dade County has entered into with or on behalf of the Florida Department of Health for County Health Department facilities and to provide a report to the full Board, without committee review, within 30 days of the effective date of this resolution as to what options the Board may have available to require Florida Department of Health to allow access for Affordable Care Act navigators to County Health Department facilities under such leases or otherwise.

Section 4. Urges the Florida Department of Health to revisit its directive to all County health departments to prohibit Affordable Care Act navigators from conducting education activities on the grounds of the County Health Departments.

Section 5. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, the Senate President, the House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Florida Surgeon General/Secretary of Health.

Section 6. Directs the County's state lobbyists to advocate for the issue identified in Section 4 above, and authorizes and directs the Officer of Intergovernmental Affairs to include this item in the 2014 state legislative package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Jean Monestime**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of October, 2013. 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 Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "JMM", is written over a horizontal line.

Jess M. McCarty

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