

# MEMORANDUM

Agenda Item No. 11(A)(6)

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**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** January 21, 2026

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

**SUBJECT:** Resolution urging the State of Florida to maintain current eligibility criteria and benefits under the state's Aids Drug Assistance Program (ADAP); urging the Florida Legislature to appropriate additional funding to the state's ADAP in order to maintain eligibility criteria and program benefits at existing levels; urging the United States Congress to appropriate additional funding to the Ryan White HIV/AIDS program to be allocated for state-administered AIDS Drug Assistance Programs

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.

  
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Geri Bonzon-Keenan  
County Attorney

GBK/gh

MDC001



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
County Attorney

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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 \_\_\_\_, majority plus one \_\_\_\_, 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) \_\_\_\_, 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)(6)  
1-21-26

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

RESOLUTION URGING THE STATE OF FLORIDA TO MAINTAIN CURRENT ELIGIBILITY CRITERIA AND BENEFITS UNDER THE STATE'S AIDS DRUG ASSISTANCE PROGRAM (ADAP); URGING THE FLORIDA LEGISLATURE TO APPROPRIATE ADDITIONAL FUNDING TO THE STATE'S ADAP IN ORDER TO MAINTAIN ELIGIBILITY CRITERIA AND PROGRAM BENEFITS AT EXISTING LEVELS; URGING THE UNITED STATES CONGRESS TO APPROPRIATE ADDITIONAL FUNDING TO THE RYAN WHITE HIV/AIDS PROGRAM TO BE ALLOCATED FOR STATE-ADMINISTERED AIDS DRUG ASSISTANCE PROGRAMS

**WHEREAS**, Acquired Immunodeficiency Syndrome ("AIDS") is a chronic, potentially life-threatening condition caused by the Human Immunodeficiency Virus ("HIV"); and

**WHEREAS**, HIV attacks the body's immune system and thereby impedes an infected individual's ability to fight off other infections and diseases; and

**WHEREAS**, more than 700,000 people in the United States have died from AIDS-related causes since the disease was first identified in 1981, and it is estimated that over 1.1 million people are living with HIV nationwide; and

**WHEREAS**, despite progress, HIV and AIDS continue to be a major public health issue in the United States, with Florida continuing to have one of the highest incidence rates in the country; and

**WHEREAS**, while there is no cure for HIV/AIDS, recent breakthroughs in HIV medications, known as "Antiretroviral Therapy," can reduce and suppress the viral load in the

body to levels so low that they are undetectable by standard tests, preventing transmission of the virus to others and allowing the immune system to recover; and

**WHEREAS**, by stopping the virus from replicating, these medications help people with HIV to live long, healthy lives, and are an essential tool in fighting HIV and its devastating effects; and

**WHEREAS**, in order for the virus to remain suppressed and treatment to be successful, taking these medications consistently as prescribed is essential, as discontinuing them can result in the viral load increasing; and

**WHEREAS**, these antiretroviral medications are generally expensive; and

**WHEREAS**, most individuals who need these medications cannot afford them without insurance or other financial assistance; and

**WHEREAS**, under the Ryan White HIV/AIDS Program, the federal government appropriates and allocates grant funding to states and localities to help support the provision of services to those infected with HIV; and

**WHEREAS**, the AIDS Drug Assistance Program (“ADAP”) is a state-administered program authorized under Part B of the Ryan White HIV/AIDS Treatment Extension Act of 2009, that provides medications approved by the United States Food and Drug Administration to low-income people living with HIV who have limited or no health coverage from insurance; and

**WHEREAS**, while the United States Department of Health and Human Services enforces certain conditions for use of federal grant funds, individual states generally administer their own ADAPs, including setting their own financial eligibility criteria, benefits, and covered medications; and

**WHEREAS**, the Florida Department of Health (“FDOH”) administers Florida’s ADAP;

**WHEREAS**, the income eligibility criterion for participation in the program in Florida has been income at or below 400 percent of the federal poverty level, or about \$62,600, for a single person; and

**WHEREAS**, under Florida's ADAP, the FDOH provides direct access to HIV medications for eligible individuals, and in certain instances, assists with the costs of their insurance premiums, copays, and deductibles; and

**WHEREAS**, it is estimated that the Florida ADAP served 32,248 clients in 2024; and

**WHEREAS**, in January 2026, without prior warning, the FDOH announced that direct access to HIV medications provided under the program will now be limited to individuals with an income at or below 130 percent of the federal poverty level, or about \$20,345, for a single person; and

**WHEREAS**, it has been reported that the FDOH also intends to discontinue ADAP-funded insurance premiums, as well as to remove the highly effective antiretroviral drug Biktarvy from the state program's formulary; and

**WHEREAS**, the FDOH's stated reason for the announced changes is to prevent a \$120 million funding shortfall due to the rising health care premiums nationwide and the lack of additional grant funding under the Ryan White HIV/AIDS Program; and

**WHEREAS**, the FDOH's changes to the ADAP threaten to immediately disrupt treatment for at least 10,000 Floridians, as reported by the Miami Herald; and

**WHEREAS**, indeed, many individuals currently enrolled in Florida's ADAP have already received letters from the FDOH informing them that their receipt of direct medication and health insurance services will end on February 28, 2026; and

**WHEREAS**, this sudden policy shift threatens the progress, health and well-being of thousands of Floridians who depend on uninterrupted HIV treatment; and

**WHEREAS**, it is the desire of this Board that these vulnerable individuals be protected; and

**WHEREAS**, accordingly, this Board requests that the FDOH not proceed with the intended cuts to the ADAP, and that the Florida Legislature provide additional state funding to support the program, as necessary; and

**WHEREAS**, additionally, this Board urges the United States Congress to increase federal funding for state-administered ADAPs, particularly in light of the increased costs in administering these programs due to rising insurance costs, attributable in part to the recent expiration of enhanced premium tax credits under the Affordable Care Act,

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

**Section 1.** Urges the State of Florida to maintain existing eligibility criteria and benefits under the state's AIDS Drug Assistance Program.

**Section 2.** Urges the Florida Legislature to appropriate additional funding to the state's AIDS Drug Assistance Program in order to maintain eligibility criteria and program benefits at existing levels.

**Section 3.** Urges the United States Congress to appropriate additional funding to the Ryan White HIV/AIDS Program, to be allocated to state-administered AIDS Drug Assistance Programs in light of rising health insurance costs.

**Section 4.** Directs the Clerk of the Board to transmit a certified copy of this resolution to Governor Ron DeSantis, the Surgeon General/Secretary of the Florida Department of Health, the Director of the Florida Department of Health’s ADAP Office, Senate President Ben Albritton, House Speaker Daniel Perez, and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 5.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation.

**Section 6.** Directs the County’s state lobbyists to advocate for action described in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2026 State Legislative Package to include this item.

**Section 7.** Directs the County’s federal lobbyists to advocate for the issue identified in section 3 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2026 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Senator René García. 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:

Anthony Rodriguez, Chairman	
Kionne L. McGhee, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Sen. René García	Oliver G. Gilbert, III
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Vicki L. Lopez
Natalie Milian Orbis	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 21<sup>st</sup> day of January, 2026. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

KMM

Kevin M. Marker