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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: February 17, 2009

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

SUBJECT: Resolution urging U.S. Congress & Florida Legislature to require insurance companies to cover additional hospital stays following labor and/or childbirth when labor was stressful on the mother and child

Resolution No. R-131-09

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: February 17, 2009

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

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

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 Mayor'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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
2-17-09

RESOLUTION NO. **R-131-09**

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO COVER ADDITIONAL HOSPITAL STAYS FOLLOWING LABOR AND/OR CHILDBIRTH WHEN LABOR WAS STRESSFUL ON THE MOTHER AND CHILD

WHEREAS, the amount of time spent in hospital after childbirth has decreased substantially over the last generation; and

WHEREAS, between 1970 and 1995, the average length of stay fell from more than 4 days to 2 days, with increased cesarean deliveries over this same period masking even larger decreases in stay length conditional on method of delivery; and

WHEREAS, by the early 1990s, third-party payers routinely declined coverage of hospital stays longer than 24 hours for uncomplicated deliveries; and

WHEREAS, but this shift toward shorter postpartum stays was controversial and unpopular, leading 42 states between 1995 and 1998 to pass laws requiring insurers to cover minimum postpartum lengths of stay; and

WHEREAS, in 1998, Congress guaranteed a minimum of 48 hours in the hospital following an uncomplicated natural delivery, and 96 hours following an uncomplicated c-section; and

WHEREAS, Florida law currently provides that an insurance company issuing health insurance that provides maternity and newborn coverage may not limit coverage for the length of a maternity and newborn stay in a hospital to any time period that is less than what is medically necessary, in accordance with prevailing medical standards and consistent with guidelines for

perinatal care of the American Academy of Pediatrics or the American College of Obstetricians and Gynecologists, by the treating obstetrical care provider or the pediatric care provider; and

WHEREAS, laws should be strengthened to require insurance companies to cover additional hospital stay following labor and/or childbirth if necessary for the well-being of the mother or newborn,

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 Florida Legislature to require insurance companies to cover additional hospital stays following labor and/or childbirth when labor was stressful on the mother and child, or there were complications.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to Florida Congressional Delegation, the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2009 federal and state legislative packages to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner Jose "Pepe" Diaz , who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of February, 2009. 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty